

House File 2049 - Introduced

HOUSE FILE 2049

BY SEXTON

A BILL FOR

1 An Act relating to continuation of health care coverage for
2 certain surviving spouses and children of peace officers
3 killed in the line of duty, and including applicability
4 provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 509A.13C Continuation of coverage
2 of surviving spouse and children of peace officers killed in the
3 line of duty.

4 1. For the purposes of this section, "*eligible peace*
5 *officer*" means a member as defined in section 97A.1, a special
6 service member as defined in section 97B.1A, or a member as
7 defined in section 411.1, to which a line of duty death benefit
8 is payable pursuant to section 97A.6, subsection 16, section
9 97B.52, subsection 2, or section 411.6, subsection 15.

10 2. a. If a governing body, a county board of supervisors,
11 or a city council has procured accident or health care coverage
12 for its employees under this chapter, such coverage shall
13 permit continuation of existing coverage for the surviving
14 spouse and each surviving child of an eligible peace officer.

15 b. The governing body, county board of supervisors, or city
16 council shall pay the full cost of the coverage required in
17 this section.

18 c. The coverage required in this section for a surviving
19 child of an eligible peace officer shall continue through the
20 earliest of the following:

21 (1) The policy anniversary date on or after the date the
22 child attains the age of twenty-six.

23 (2) The date on which the child becomes eligible for group
24 medical coverage, whether insured or self-insured.

25 d. The coverage required under this section for a surviving
26 spouse shall continue until the earlier of any of the
27 following:

28 (1) Five years after the date of death of the eligible peace
29 officer.

30 (2) The date on which the surviving spouse becomes eligible
31 for group medical coverage, whether insured or self-insured.

32 (3) The date on which the surviving spouse becomes eligible
33 for coverage under Medicare or is covered by Medicaid.

34 (4) The date on which the surviving spouse remarries.

35 3. Notwithstanding any other provision of law, a surviving

1 spouse who is no longer eligible for continuation of coverage
2 under this section pursuant to subsection 2, paragraph "d",
3 subparagraph (1), may elect to continue accident or health
4 care coverage by requesting continuation in writing to the
5 applicable governing body, county board of supervisors, or city
6 council within thirty-one days after the date the surviving
7 spouse is no longer eligible under subsection 2, paragraph "d",
8 subparagraph (1). A surviving spouse electing to continue
9 coverage under this subsection shall pay the total premium for
10 the accident or health coverage. The right of the surviving
11 spouse to continue coverage under this subsection shall cease
12 if any of the conditions in subsection 2, paragraph "d",
13 subparagraph (2), (3), or (4), occurs.

14 4. This section shall not require continuation of coverage
15 if the surviving spouse or surviving child who would otherwise
16 be entitled to continuation of coverage under this section was,
17 through the surviving spouse's or surviving child's actions, a
18 substantial contributing factor to the eligible peace officer's
19 death.

20 Sec. 2. APPLICABILITY. This Act applies to a death
21 occurring on or after July 1, 2018.

22 EXPLANATION

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

25 This bill requires a city, county, or the state to continue
26 to provide group health insurance benefits to the surviving
27 spouse and children of an eligible peace officer. The bill
28 defines an eligible peace officer as a member of the public
29 safety peace officers' retirement system created under Code
30 chapter 97A, a special service member of the Iowa public
31 employees' retirement system created under Code chapter 97B,
32 or a member of the statewide fire and police retirement system
33 created under Code chapter 411, to which a line of duty death
34 benefit under the applicable Code chapter is payable. The bill
35 provides that the full cost of the continuing coverage must

1 be paid for by the eligible peace officer's employer. The
2 bill provides that coverage for a surviving spouse continues
3 until the earlier of five years from the date of death of
4 the eligible peace officer, when the spouse remarries, when
5 the spouse becomes eligible for Medicare, or when the spouse
6 is covered by Medicaid. The coverage for a surviving child
7 lasts until the child reaches the age of 26. The bill also
8 provides that continuing coverage ends if the surviving spouse
9 or children become eligible for other group medical coverage.

10 A surviving spouse may elect to continue coverage beyond
11 five years after the date of the eligible peace officer's death
12 by notifying the eligible peace officer's employer in writing
13 and by paying the full cost of the coverage.

14 The bill also provides that a surviving spouse or child who
15 caused the eligible peace officer's death is not entitled to
16 continuation of coverage.

17 The bill applies to deaths occurring on or after July 1,
18 2018.