

**House Study Bill 112 - Introduced**

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:

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

1 dies and who is reasonably expected to be determined to be an  
2 eligible employee of the state of Iowa, until such time as the  
3 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 or  
7 a portion of the cost of the health insurance, in which case the  
8 department, agency, board, bureau, commission, or other employing  
9 entity of the eligible employee of the state of Iowa shall bear  
10 the cost of such health insurance. If the full cost or a portion  
11 of the cost of the coverage is not paid by the governing body  
12 of the state, the surviving spouse and each surviving child who  
13 is eligible for health insurance under this section may elect  
14 to continue coverage by paying that portion of the cost of the  
15 health insurance not paid by the governing body of the state.

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

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

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

1 pursuant to section 509A.13B.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

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

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

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

35 The state must notify the provider of the insurance of the

1 identity of the spouse and each child who is to be provided  
2 insurance pursuant to the requirements of the bill.

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

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