



General Assembly

February Session, 2002

**Amendment**

LCO No. 3632

\*SB0063303632SD0\*

Offered by:

SEN. COLEMAN, 2<sup>nd</sup> Dist.

To: Subst. Senate Bill No. 633

File No. 424

Cal. No. 278

**"AN ACT CONCERNING THE COLLECTION OF CHILD  
SUPPORT."**

1 After the last section, insert the following:

2 "Sec. 8. Subsection (a) of section 46b-66 of the general statutes, as  
3 amended by section 1 of public act 01-135, is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2002*):

5 (a) In any case under this chapter where the parties have submitted  
6 to the court an agreement concerning the custody, care, education,  
7 visitation, maintenance or support of any of their children or  
8 concerning alimony, maintenance of health insurance coverage or the  
9 disposition of property, the court shall inquire into the financial  
10 resources and actual needs of the spouses and their respective fitness  
11 to have physical custody of or rights of visitation with any minor child,  
12 in order to determine whether the agreement of the spouses is fair and  
13 equitable under all the circumstances. If the court finds the agreement  
14 fair and equitable, it shall become part of the court file, and if the

15 agreement is in writing, it shall be incorporated by reference into the  
16 order or decree of the court. If the court finds the agreement is not fair  
17 and equitable, it shall make such orders as to finances, maintenance of  
18 health insurance coverage and custody as the circumstances require. If  
19 the agreement is in writing and provides for the care, education,  
20 maintenance or support of a child beyond the age of eighteen, it may  
21 also be incorporated or otherwise made a part of any such order and  
22 shall be enforceable to the same extent as any other provision of such  
23 order or decree, notwithstanding the provisions of section 1-1d. No  
24 such agreement or order requiring a spouse to maintain health  
25 insurance coverage for the other spouse may extend beyond a date  
26 fixed by the court or the remarriage of such other spouse, whichever is  
27 earlier.

28 Sec. 9. Section 38a-554 of the general statutes is repealed and the  
29 following is substituted in lieu thereof (*Effective October 1, 2002*):

30 A group comprehensive health care plan shall contain the minimum  
31 standard benefits prescribed in section 38a-553 and shall also conform  
32 in substance to the requirements of this section.

33 (a) The plan shall be one under which the individuals eligible to be  
34 covered include: (1) Each eligible employee; (2) the spouse of each  
35 eligible employee, who shall be considered a dependent for the  
36 purposes of this section; and (3) dependent unmarried children, who  
37 are under the age of nineteen or are full-time students under the age of  
38 twenty-three at an accredited institution of higher learning.

39 (b) The plan shall provide the option to continue coverage under  
40 each of the following circumstances until the individual is eligible for  
41 other group insurance: (1) Notwithstanding any [contrary] provision  
42 of this section, upon layoff, reduction of hours, leave of absence, or  
43 termination of employment, other than as a result of death of the  
44 employee or as a result of such employee's "gross misconduct" as that  
45 term is used in 29 USC 1163(2), continuation of coverage for such  
46 employee and [his] such employee's covered dependents for the

47 periods set forth for such event under federal extension requirements  
48 established by the federal Consolidated Omnibus Budget  
49 Reconciliation Act of 1985 (P.L. 99-272), as amended from time to time,  
50 (COBRA); (2) upon the death of the employee, continuation of  
51 coverage for the covered dependents of such employee for the periods  
52 set forth for such event under federal extension requirements  
53 established by the Consolidated Omnibus Budget Reconciliation Act of  
54 1985 (P.L. 99-272), as amended from time to time, (COBRA); (3) during  
55 an employee's absence due to illness or injury, continuation of  
56 coverage for such employee and [his] such employee's covered  
57 dependents during continuance of such illness or injury or for up to  
58 twelve months from the beginning of such absence; (4) upon  
59 termination of the group plan, coverage for covered individuals who  
60 were totally disabled on the date of termination [ ] shall be continued  
61 without premium payment during the continuance of such disability  
62 for a period of twelve calendar months following the calendar month  
63 in which the plan was terminated, provided claim is submitted  
64 [therefor] for coverage within one year of the termination of the plan;  
65 (5) the coverage of any covered individual shall terminate: (A) As to a  
66 child, the plan shall provide the option for said child to continue  
67 coverage for the longer of the following periods: (i) At the end of the  
68 month following the month in which the child marries, ceases to be  
69 dependent on the employee or attains the age of nineteen, whichever  
70 occurs first, except that if the child is a full-time student at an  
71 accredited institution, the coverage may be continued while the child  
72 remains unmarried and a full-time student, but not beyond the month  
73 following the month in which the child attains the age of twenty-three.  
74 If on the date specified for termination of coverage on a dependent  
75 child, the child is unmarried and incapable of self-sustaining  
76 employment by reason of mental or physical handicap and chiefly  
77 dependent upon the employee for support and maintenance, the  
78 coverage on such child shall continue while the plan remains in force  
79 and the child remains in such condition, provided proof of such  
80 handicap is received by the carrier within thirty-one days of the date  
81 on which the child's coverage would have terminated in the absence of

82 such incapacity. The carrier may require subsequent proof of the  
83 child's continued incapacity and dependency but not more often than  
84 once a year thereafter, or (ii) for the periods set forth for such child  
85 under federal extension requirements established by the Consolidated  
86 Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272), as amended  
87 from time to time, (COBRA); (B) as to the employee's spouse, at the  
88 end of the month following the month in which a divorce, court-  
89 ordered annulment or legal separation is obtained, whichever is  
90 earlier, except [that] (i) coverage for said spouse shall be continued for  
91 such period as may be ordered or approved by the court granting such  
92 divorce, annulment or separation, but not beyond the month following  
93 the month in which said spouse remarries, and (ii) the plan shall  
94 provide the option for said spouse to continue coverage for the periods  
95 set forth for such events under federal extension requirements  
96 established by the Consolidated Omnibus Budget Reconciliation Act of  
97 1985 (P.L. 99-272), as amended from time to time, (COBRA); and (C) as  
98 to the employee or dependent who is sixty-five years of age or older,  
99 as of midnight of the day preceding such person's eligibility for  
100 benefits under Title XVIII of the federal Social Security Act; (6) as to  
101 any other event listed as a "qualifying event" in 29 USC 1163, as  
102 amended from time to time, continuation of coverage for such periods  
103 set forth for such event in 29 USC 1162, as amended from time to time,  
104 provided such plan may require the individual whose coverage is to be  
105 continued to pay up to the percentage of the applicable premium as  
106 specified for such event in 29 USC 1162, as amended from time to time,  
107 [; (7) any] Any continuation of coverage required by this section except  
108 subdivision (4) or (6) of this subsection may be subject to the  
109 requirement, on the part of the individual whose coverage is to be  
110 continued, that such individual contribute that portion of the premium  
111 [he] the individual would have been required to contribute had the  
112 employee remained an active covered employee, except that the  
113 individual may be required to pay up to one hundred two per cent of  
114 the entire premium at the group rate if coverage is continued in  
115 accordance with subdivision (1), (2) or (5) of this subsection. [,  
116 provided the] The employer shall not be legally obligated by sections

117 38a-505, 38a-546 and 38a-551 to 38a-559, inclusive, as amended, to pay  
118 such premium if not paid timely by the employee.

119 (c) The commissioner shall [~~promulgate~~] adopt regulations, in  
120 accordance with chapter 54, concerning coordination of benefits  
121 between the plan and other health insurance plans.

122 (d) The plan shall make available to Connecticut residents, in  
123 addition to any other conversion privilege available, a conversion  
124 privilege under which coverage shall be available immediately upon  
125 termination of coverage under the group plan. The terms and benefits  
126 offered under the conversion benefits shall be at least equal to the  
127 terms and benefits of an individual comprehensive health care plan."