



General Assembly

February Session, 2002

**Amendment**

LCO No. 3753

\*HB0574803753HD0\*

Offered by:

REP. STONE, 9<sup>th</sup> Dist.

REP. SAYERS, 60<sup>th</sup> Dist.

To: Subst. House Bill No. 5748

File No. 453

Cal. No. 304

**"AN ACT CONCERNING THE COURT SUPPORT SERVICES  
DIVISION."**

1 After the last section, insert the following:

2 "Sec. 56. Subsection (b) of section 46b-53 of the general statutes is  
3 repealed and the following is substituted in lieu thereof (*Effective*  
4 *October 1, 2002*):

5 (b) Within such ninety-day period or within thirty days of the  
6 request, whichever is later, there shall be two mandatory consultations  
7 with the conciliator by each party to explore the possibility of  
8 reconciliation or of resolving the emotional problems which might lead  
9 to continuing conflicts following the dissolution of the marriage.  
10 Failure of the plaintiff or the defendant to attend [these] such  
11 consultations, except for good cause, shall preclude further action on  
12 the complaint until the expiration of six months from the date of the  
13 return day, [.] provided the court may order the termination of such  
14 stay [.] upon the motion of either party and for good cause shown.

15 Further consultations may be held with the consent of both parties or,  
16 if the conciliator recommends one or more additional consultations  
17 and either one of the parties agrees, the court may order such  
18 additional consultations.

19 Sec. 57. Section 46b-69c of the general statutes is repealed and the  
20 following is substituted in lieu thereof (*Effective July 1, 2002*):

21 (a) There is established an advisory committee to (1) make  
22 recommendations to the Judicial Department on the development of,  
23 and annually thereafter on modifications to, the curriculum for the  
24 parenting education program established pursuant to subsection (a) of  
25 section 46b-69b<sub>2</sub> and (2) advise on other matters involving the service  
26 providers, including the qualifications and selection of such providers.

27 (b) Not later than January 15, 2003, the advisory committee shall  
28 make recommendations to the Judicial Department on the expansion  
29 of the parenting education program to include a separate program for  
30 children whose parents are involved in a dissolution of marriage  
31 action. Such program shall be designed to help children cope more  
32 effectively with the problems that result from a dissolution and shall  
33 have as its goal the prevention or reduction of children's anxiety,  
34 aggression, depression and behavioral problems and an increase in  
35 social competencies critical to children's post-dissolution adjustment.

36 [(b)] (c) The advisory committee shall consist of not more than ten  
37 members to be appointed by the Chief Justice of the Supreme Court  
38 and shall include members who represent the [commission on  
39 children] Commission on Children, the family law section of the  
40 Connecticut Bar Association, educators specializing in children  
41 studies, agencies representing victims of family violence, service  
42 providers and the Judicial Department. The members shall serve for  
43 terms of two years and may be reappointed for succeeding terms. The  
44 members shall elect a chairperson from among their number and shall  
45 receive no compensation for their services.

46 [(c) The Family] (d) The Court Support Services Division of the

47 Judicial Department shall provide staff services to the advisory  
48 committee.

49 Sec. 58. Subsection (a) of section 46b-66 of the general statutes, as  
50 amended by section 1 of public act 01-135, is repealed and the  
51 following is substituted in lieu thereof (*Effective October 1, 2002*):

52 (a) In any case under this chapter where the parties have submitted  
53 to the court an agreement concerning the custody, care, education,  
54 visitation, maintenance or support of any of their children or  
55 concerning alimony, maintenance of health insurance coverage or the  
56 disposition of property, the court shall inquire into the financial  
57 resources and actual needs of the spouses and their respective fitness  
58 to have physical custody of or rights of visitation with any minor child,  
59 in order to determine whether the agreement of the spouses is fair and  
60 equitable under all the circumstances. If the court finds that the  
61 agreement is fair and equitable, [it] the agreement shall become part of  
62 the court file, and if the agreement is in writing, it shall be  
63 incorporated by reference into the order or decree of the court. If the  
64 court finds that the agreement is not fair and equitable, [it] the court  
65 shall make such orders as to finances, maintenance of health insurance  
66 coverage and custody as the circumstances require. If the agreement is  
67 in writing and provides for the care, education, maintenance or  
68 support of a child beyond the age of eighteen, it may also be  
69 incorporated or otherwise made a part of any such order and shall be  
70 enforceable to the same extent as any other provision of such order or  
71 decree, notwithstanding the provisions of section 1-1d. No such  
72 agreement or order requiring a spouse to maintain health insurance  
73 coverage for the other spouse may extend beyond a date fixed by the  
74 court or the remarriage of either spouse, whichever is earlier.

75 Sec. 59. Section 38a-554 of the general statutes is repealed and the  
76 following is substituted in lieu thereof (*Effective October 1, 2002*):

77 A group comprehensive health care plan shall contain the minimum  
78 standard benefits prescribed in section 38a-553 and shall also conform

79 in substance to the requirements of this section.

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

86 (b) The plan shall provide the option to continue coverage under  
87 each of the following circumstances until the individual is eligible for  
88 other group insurance: (1) Notwithstanding any [contrary] provision  
89 of this section, upon layoff, reduction of hours, leave of absence, or  
90 termination of employment, other than as a result of death of the  
91 employee or as a result of such employee's "gross misconduct" as that  
92 term is used in 29 USC 1163(2), continuation of coverage for such  
93 employee and [his] such employee's covered dependents for the  
94 periods set forth for such event under federal extension requirements  
95 established by the federal Consolidated Omnibus Budget  
96 Reconciliation Act of 1985 (P.L. 99-272), as amended from time to time,  
97 (COBRA); (2) upon the death of the employee, continuation of  
98 coverage for the covered dependents of such employee for the periods  
99 set forth for such event under federal extension requirements  
100 established by the Consolidated Omnibus Budget Reconciliation Act of  
101 1985 (P.L. 99-272), as amended from time to time, (COBRA); (3) during  
102 an employee's absence due to illness or injury, continuation of  
103 coverage for such employee and [his] such employee's covered  
104 dependents during continuance of such illness or injury or for up to  
105 twelve months from the beginning of such absence; (4) upon  
106 termination of the group plan, coverage for covered individuals who  
107 were totally disabled on the date of termination [,] shall be continued  
108 without premium payment during the continuance of such disability  
109 for a period of twelve calendar months following the calendar month  
110 in which the plan was terminated, provided claim is submitted  
111 [therefor] for coverage within one year of the termination of the plan;

112 (5) the coverage of any covered individual shall terminate: (A) As to a  
113 child, the plan shall provide the option for said child to continue  
114 coverage for the longer of the following periods: (i) At the end of the  
115 month following the month in which the child marries, ceases to be  
116 dependent on the employee or attains the age of nineteen, whichever  
117 occurs first, except that if the child is a full-time student at an  
118 accredited institution, the coverage may be continued while the child  
119 remains unmarried and a full-time student, but not beyond the month  
120 following the month in which the child attains the age of twenty-three.  
121 If on the date specified for termination of coverage on a dependent  
122 child, the child is unmarried and incapable of self-sustaining  
123 employment by reason of mental or physical handicap and chiefly  
124 dependent upon the employee for support and maintenance, the  
125 coverage on such child shall continue while the plan remains in force  
126 and the child remains in such condition, provided proof of such  
127 handicap is received by the carrier within thirty-one days of the date  
128 on which the child's coverage would have terminated in the absence of  
129 such incapacity. The carrier may require subsequent proof of the  
130 child's continued incapacity and dependency but not more often than  
131 once a year thereafter, or (ii) for the periods set forth for such child  
132 under federal extension requirements established by the Consolidated  
133 Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272), as amended  
134 from time to time, (COBRA); (B) as to the employee's spouse, at the  
135 end of the month following the month in which a divorce, court-  
136 ordered annulment or legal separation is obtained, whichever is  
137 earlier, except [that] (i) coverage for said spouse shall be continued for  
138 such period as may be ordered or approved by the court granting such  
139 divorce, annulment or separation, but not beyond the month following  
140 the month in which said spouse remarries, and (ii) the plan shall  
141 provide the option for said spouse to continue coverage for the periods  
142 set forth for such events under federal extension requirements  
143 established by the Consolidated Omnibus Budget Reconciliation Act of  
144 1985 (P.L. 99-272), as amended from time to time, (COBRA); and (C) as  
145 to the employee or dependent who is sixty-five years of age or older,  
146 as of midnight of the day preceding such person's eligibility for

147 benefits under Title XVIII of the federal Social Security Act; (6) as to  
148 any other event listed as a "qualifying event" in 29 USC 1163, as  
149 amended from time to time, continuation of coverage for such periods  
150 set forth for such event in 29 USC 1162, as amended from time to time,  
151 provided such plan may require the individual whose coverage is to be  
152 continued to pay up to the percentage of the applicable premium as  
153 specified for such event in 29 USC 1162, as amended from time to time;  
154 [; (7) any] Any continuation of coverage required by this section except  
155 subdivision (4) or (6) of this subsection may be subject to the  
156 requirement, on the part of the individual whose coverage is to be  
157 continued, that such individual contribute that portion of the premium  
158 [he] the individual would have been required to contribute had the  
159 employee remained an active covered employee, except that the  
160 individual may be required to pay up to one hundred two per cent of  
161 the entire premium at the group rate if coverage is continued in  
162 accordance with subdivision (1), (2) or (5) of this subsection. [,  
163 provided the] The employer shall not be legally obligated by sections  
164 38a-505, 38a-546 and 38a-551 to 38a-559, inclusive, as amended, to pay  
165 such premium if not paid timely by the employee.

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

169 (d) The plan shall make available to Connecticut residents, in  
170 addition to any other conversion privilege available, a conversion  
171 privilege under which coverage shall be available immediately upon  
172 termination of coverage under the group plan. The terms and benefits  
173 offered under the conversion benefits shall be at least equal to the  
174 terms and benefits of an individual comprehensive health care plan."