



General Assembly

January Session, 2003

**Committee Bill No. 4**

LCO No. 3321

Referred to Committee on Select Committee on Aging

Introduced by:  
(AGE)

**AN ACT CONCERNING THE EXTENSION OF GROUP HEALTH  
INSURANCE BENEFITS FOR INDIVIDUALS AGE SIXTY-TWO AND  
OVER.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Section 38a-554 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

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

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

12 (b) The plan shall provide the option to continue coverage under  
13 each of the following circumstances until the individual is eligible for  
14 other group insurance, except as provided in subdivisions (3) and (4)

15 of this subsection: (1) Notwithstanding any provision of this section,  
16 upon layoff, reduction of hours, leave of absence, or termination of  
17 employment, other than as a result of death of the employee or as a  
18 result of such employee's "gross misconduct" as that term is used in 29  
19 USC 1163(2), continuation of coverage for such employee and such  
20 employee's covered dependents for the periods set forth for such event  
21 under federal extension requirements established by the federal  
22 Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272),  
23 as amended from time to time, (COBRA), except that if such reduction  
24 of hours, leave of absence or termination of employment results from  
25 an employee's eligibility to receive Social Security income,  
26 continuation of coverage for such employee and such employee's  
27 covered dependents until midnight of the day preceding such person's  
28 eligibility for benefits under Title XVIII of the Social Security Act; (2)  
29 upon the death of the employee, continuation of coverage for the  
30 covered dependents of such employee for the periods set forth for such  
31 event under federal extension requirements established by the  
32 Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272),  
33 as amended from time to time, (COBRA); (3) regardless of the  
34 employee's or dependent's eligibility for other group insurance, during  
35 an employee's absence due to illness or injury, continuation of  
36 coverage for such employee and such employee's covered dependents  
37 during continuance of such illness or injury or for up to twelve months  
38 from the beginning of such absence; (4) regardless of an individual's  
39 eligibility for other group insurance, upon termination of the group  
40 plan, coverage for covered individuals who were totally disabled on  
41 the date of termination shall be continued without premium payment  
42 during the continuance of such disability for a period of twelve  
43 calendar months following the calendar month in which the plan was  
44 terminated, provided claim is submitted for coverage within one year  
45 of the termination of the plan; (5) the coverage of any covered  
46 individual shall terminate: (A) As to a child, the plan shall provide the  
47 option for said child to continue coverage for the longer of the  
48 following periods: (i) At the end of the month following the month in

49 which the child marries, ceases to be dependent on the employee or  
50 attains the age of nineteen, whichever occurs first, except that if the  
51 child is a full-time student at an accredited institution, the coverage  
52 may be continued while the child remains unmarried and a full-time  
53 student, but not beyond the month following the month in which the  
54 child attains the age of twenty-three. If on the date specified for  
55 termination of coverage on a dependent child, the child is unmarried  
56 and incapable of self-sustaining employment by reason of mental or  
57 physical handicap and chiefly dependent upon the employee for  
58 support and maintenance, the coverage on such child shall continue  
59 while the plan remains in force and the child remains in such  
60 condition, provided proof of such handicap is received by the carrier  
61 within thirty-one days of the date on which the child's coverage would  
62 have terminated in the absence of such incapacity. The carrier may  
63 require subsequent proof of the child's continued incapacity and  
64 dependency but not more often than once a year thereafter, or (ii) for  
65 the periods set forth for such child under federal extension  
66 requirements established by the Consolidated Omnibus Budget  
67 Reconciliation Act of 1985 (P.L. 99-272), as amended from time to time,  
68 (COBRA); (B) as to the employee's spouse, at the end of the month  
69 following the month in which a divorce, court-ordered annulment or  
70 legal separation is obtained, whichever is earlier, except that the plan  
71 shall provide the option for said spouse to continue coverage for the  
72 periods set forth for such events under federal extension requirements  
73 established by the Consolidated Omnibus Budget Reconciliation Act of  
74 1985 (P.L. 99-272), as amended from time to time, (COBRA); and (C) as  
75 to the employee or dependent who is sixty-five years of age or older,  
76 as of midnight of the day preceding such person's eligibility for  
77 benefits under Title XVIII of the federal Social Security Act; (6) as to  
78 any other event listed as a "qualifying event" in 29 USC 1163, as  
79 amended from time to time, continuation of coverage for such periods  
80 set forth for such event in 29 USC 1162, as amended from time to time,  
81 provided such plan may require the individual whose coverage is to be  
82 continued to pay up to the percentage of the applicable premium as

83 specified for such event in 29 USC 1162, as amended from time to time.  
84 Any continuation of coverage required by this section except  
85 subdivision (4) or (6) of this subsection may be subject to the  
86 requirement, on the part of the individual whose coverage is to be  
87 continued, that such individual contribute that portion of the premium  
88 the individual would have been required to contribute had the  
89 employee remained an active covered employee, except that the  
90 individual may be required to pay up to one hundred two per cent of  
91 the entire premium at the group rate if coverage is continued in  
92 accordance with subdivision (1), (2) or (5) of this subsection. The  
93 employer shall not be legally obligated by sections 38a-505, 38a-546  
94 and 38a-551 to 38a-559, inclusive, to pay such premium if not paid  
95 timely by the employee.

96 (c) The commissioner shall adopt regulations, in accordance with  
97 chapter 54, concerning coordination of benefits between the plan and  
98 other health insurance plans.

99 (d) The plan shall make available to Connecticut residents, in  
100 addition to any other conversion privilege available, a conversion  
101 privilege under which coverage shall be available immediately upon  
102 termination of coverage under the group plan. The terms and benefits  
103 offered under the conversion benefits shall be at least equal to the  
104 terms and benefits of an individual comprehensive health care plan.

This act shall take effect as follows:	
Section 1	October 1, 2003

**AGE**

*Joint Favorable C/R*

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