



General Assembly

Amendment

February Session, 2006

LCO No. 4344

SB0031404344SD0

Offered by:

SEN. SLOSSBERG, 14th Dist.
SEN. PRAGUE, 19th Dist.
REP. MICHELE, 77th Dist.
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To: Subst. Senate Bill No. 314

File No. 193

Cal. No. 181

"AN ACT EXTENDING FEDERAL PROTECTIONS TO STATE SERVICE MEMBERS."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 38a-554 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 [A] Each group comprehensive health care plan shall contain the
6 minimum standard benefits prescribed in section 38a-553, as amended,
7 and shall also conform in substance to the requirements of this section.

8 (a) The plan shall be one under which the individuals eligible to be
9 covered include: (1) Each eligible employee; (2) the spouse of each
10 eligible employee, who shall be considered a dependent for the
11 purposes of this section; and (3) dependent unmarried children, who

12 are under the age of nineteen or are full-time students under the age of
13 twenty-three at an accredited institution of higher learning.

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

18 (1) Notwithstanding any provision of this section, upon layoff,
19 reduction of hours, leave of absence [,] or termination of employment,
20 other than as a result of death of the employee or as a result of [such]
21 the employee's "gross misconduct" as that term is used in 29 USC
22 1163(2), continuation of coverage for [such] the employee and [such]
23 the employee's covered dependents for the periods set forth for such
24 event under federal extension requirements established by the federal
25 Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272),
26 as amended from time to time, (COBRA), except that if such reduction
27 of hours, leave of absence or termination of employment results from
28 an employee's eligibility to receive Social Security income,
29 continuation of coverage for [such] the employee and [such] the
30 employee's covered dependents until midnight of the day preceding
31 such person's eligibility for benefits under Title XVIII of the Social
32 Security Act;

33 (2) [upon] Upon the death of the employee, continuation of
34 coverage for the covered dependents of [such] the employee for the
35 periods set forth for such event under federal extension requirements
36 established by the Consolidated Omnibus Budget Reconciliation Act of
37 1985 (P.L. 99-272), as amended from time to time, (COBRA);

38 (3) [regardless] Regardless of the employee's or dependent's
39 eligibility for other group insurance, during an employee's absence
40 due to illness or injury, continuation of coverage for [such] the
41 employee and [such] the employee's covered dependents during
42 continuance of such illness or injury or for up to twelve months from
43 the beginning of such absence;

44 (4) [regardless] Regardless of an individual's eligibility for other
45 group insurance, upon termination of the group plan, coverage for
46 covered individuals who were totally disabled on the date of
47 termination shall be continued without premium payment during the
48 continuance of such disability for a period of twelve calendar months
49 following the calendar month in which the plan was terminated,
50 provided claim is submitted for coverage within one year of the
51 termination of the plan;

52 (5) [the] The coverage of any covered individual shall terminate: (A)
53 As to a child, the plan shall provide the option for [said] the child to
54 continue coverage for the longer of the following periods: (i) At the
55 end of the month following the month in which the child marries,
56 ceases to be dependent on the employee or attains the age of nineteen,
57 whichever occurs first, except that (I) if the child is a full-time student
58 at an accredited institution, the coverage may be continued while the
59 child remains unmarried and a full-time student, but not beyond the
60 month following the month in which the child attains the age of
61 twenty-three, and (II) coverage for a child who is unmarried and a full-
62 time student may be continued beyond the age of twenty-three for a
63 child who is a member of the armed forces of any state or of any
64 reserve component of the armed forces of the United States, including
65 the Connecticut National Guard, and who was called to active service
66 in the armed forces of any state or the United States while continuing
67 such coverage and before the age of twenty-three, provided coverage
68 after age twenty-three may be continued for the number of months
69 equal to the number of months, or portion thereof, of such active
70 service. If on the date specified for termination of coverage on a
71 dependent child, the child is unmarried and incapable of self-
72 sustaining employment by reason of mental or physical handicap and
73 chiefly dependent upon the employee for support and maintenance,
74 the coverage on such child shall continue while the plan remains in
75 force and the child remains in such condition, provided proof of such
76 handicap is received by the carrier within thirty-one days of the date
77 on which the child's coverage would have terminated in the absence of

78 such incapacity. The carrier may require subsequent proof of the
79 child's continued incapacity and dependency but not more often than
80 once a year thereafter, or (ii) for the periods set forth for such child
81 under federal extension requirements established by the Consolidated
82 Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272), as amended
83 from time to time, (COBRA); (B) as to the employee's spouse, at the
84 end of the month following the month in which a divorce, court-
85 ordered annulment or legal separation is obtained, whichever is
86 earlier, except that the plan shall provide the option for said spouse to
87 continue coverage for the periods set forth for such events under
88 federal extension requirements established by the Consolidated
89 Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272), as amended
90 from time to time, (COBRA); and (C) as to the employee or dependent
91 who is sixty-five years of age or older, as of midnight of the day
92 preceding such person's eligibility for benefits under Title XVIII of the
93 federal Social Security Act;

94 (6) [as] As to any other event listed as a "qualifying event" in 29 USC
95 1163, as amended from time to time, continuation of coverage for
96 [such] the periods set forth for such event in 29 USC 1162, as amended
97 from time to time, provided such plan may require the individual
98 whose coverage is to be continued to pay up to the percentage of the
99 applicable premium as specified for such event in 29 USC 1162, as
100 amended from time to time; and

101 (7) Any continuation of coverage required by this section except
102 subdivision (4) or (6) of this subsection may be subject to the
103 requirement, on the part of the individual whose coverage is to be
104 continued, that [such] the individual contribute that portion of the
105 premium the individual would have been required to contribute had
106 the employee remained an active covered employee, except that the
107 individual may be required to pay up to one hundred two per cent of
108 the entire premium at the group rate if coverage is continued in
109 accordance with subdivision (1), (2) or (5) of this subsection. The
110 employer shall not be legally obligated by sections 38a-505, 38a-546

111 and 38a-551 to 38a-559, inclusive, as amended, to pay such premium if
112 not paid timely by the employee.

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

116 (d) The plan shall make available to Connecticut residents, in
117 addition to any other conversion privilege available, a conversion
118 privilege under which coverage shall be available immediately upon
119 termination of coverage under the group plan. The terms and benefits
120 offered under the conversion benefits shall be at least equal to the
121 terms and benefits of an individual comprehensive health care plan."