

Senate Bill 236

By: Senators Hudgens of the 47th and Brown of the 26th

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 45-18-9 of the Official Code of Georgia Annotated, relating to the
2 right of continuation of health coverage for a spouse or dependent of a deceased public
3 employee, right to resumption of coverage, payment of contributions, and promulgation of
4 rules and regulations as to continuance, discontinuance, and resumption of coverage, so as
5 to provide that the surviving spouse and dependents of a state employee killed while acting
6 in the scope of his or her employment shall be entitled to continue coverage under the state
7 health insurance plan under certain conditions; to provide that any person so eligible to
8 continue such coverage shall pay the same premium as an active state employee; to provide
9 for rules and regulations; to amend Code Section 45-18-54 of the Official Code of Georgia
10 Annotated, relating to continuation of optional employee benefit plans and approval of
11 optional plans or contracting with new or additional insurers, so as to provide that any
12 department, agency, authority, county department of health, or local board of education may
13 receive an administrative fee or service fee for certain services; to repeal conflicting laws;
14 and for other purposes.

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

16 **SECTION 1.**

17 Code Section 45-18-9 of the Official Code of Georgia Annotated, relating to the right of
18 continuation of health coverage for a spouse or dependent of a deceased public employee,
19 right to resumption of coverage, payment of contributions, and promulgation of rules and
20 regulations as to continuance, discontinuance, and resumption of coverage, is amended by
21 striking in its entirety subsection (e) and inserting in lieu thereof the following:

22 "(e) If any employee of this state, regardless of his or her time in service, is killed while
23 acting within the scope of his or her employment or receives bodily injury while acting
24 within the scope of his or her employment that directly results in death thereafter, ~~eligible~~
25 ~~dependents may continue coverage, provided that:~~

1 ~~(1) The deceased employee was the primary or principal beneficiary of any contract or~~
 2 ~~contracts for health insurance established under this article;~~
 3 ~~(2) At the time of death, the employee included his or her eligible dependents under such~~
 4 ~~contract or contracts for health insurance;~~
 5 ~~(3) At the time of death, the employee maintained continuous coverage during the period~~
 6 ~~between injury and death;~~
 7 ~~(4) The eligible dependents agree to pay the contributions to the cost of such coverage;~~
 8 ~~and~~
 9 ~~(5) The eligible dependents pay such contributions in accordance with the rules and~~
 10 ~~regulations promulgated and adopted by the board governing the continuance,~~
 11 ~~discontinuance, and resumption of coverage by such eligible dependents. any spouse or~~
 12 ~~dependent child or children included in the coverage of the contract or contracts for~~
 13 ~~health insurance as provided in this article at the time of the employee's death who are~~
 14 ~~not otherwise eligible under subsection (a) of this Code section may be entitled to~~
 15 ~~continue such coverage upon agreeing to pay contributions at the same rate as required~~
 16 ~~for state employees and in compliance with the rules and regulations governing such~~
 17 ~~coverage. The board may adopt rules and regulations governing the continuance,~~
 18 ~~discontinuance, and resumption of coverage by any such spouse or dependent child or~~
 19 ~~children."~~

20 SECTION 2.

21 Code Section 45-18-54 of the Official Code of Georgia Annotated, relating to continuation
 22 of optional employee benefit plans and approval of optional plans or contracting with new
 23 or additional insurers, is amended by inserting at the end thereof the following:

24 "(d) Nothing in this Code section shall preclude any department, agency, authority, county
 25 department of health, or local board of education from receiving an administrative or
 26 service fee from any corporation licensed to transact business in this state as reimbursement
 27 for the time and expense of administering any optional employee benefit plan which was
 28 in operation on January 1, 1986."

29 SECTION 3.

30 All laws and parts of laws in conflict with this Act are repealed.