

SENATE BILL No. 152

By Committee on Ways and Means

2-7

1 AN ACT concerning health insurance; pertaining to continuation of health
2 insurance for spouse and dependent children of firefighters and law
3 enforcement officers; amending K.S.A. 2012 Supp. 40-1709 and
4 repealing the existing section.
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 New Section 1. (a) (1) Except as provided in paragraph (2), whenever
8 a state agency or municipality provides for the payment of premiums for
9 any health benefit plan for law enforcement officers employed by such
10 state agency or such municipality, the state agency or municipality shall
11 pay premiums for the continuation of coverage under COBRA for the
12 surviving spouse and eligible dependent children under the age of 26 years
13 of a law enforcement officer who dies in the line of duty. Premiums for
14 continuation of coverage under COBRA shall be paid for 18 months.

15 (2) Neither the state agency nor the municipality may be required to
16 pay the premiums described in paragraph (1) for a surviving spouse:

17 (A) On or after the end of the 18th calendar month after the date of
18 death of the deceased law enforcement officer;

19 (B) upon the remarriage of the deceased law enforcement officer's
20 surviving spouse; or

21 (C) upon the deceased law enforcement officer's surviving spouse
22 reaching the age of 65.

23 (b) For the purposes of this section:

24 (1) "Health benefit plan" shall have the meaning ascribed to such
25 term in K.S.A. 40-4602, and amendments thereto.

26 (2) "Law enforcement officer" means an employee employed by a
27 law enforcement agency and:

28 (A) Whose principal duties are engagement in the enforcement of law
29 and maintenance of order within this state and its political subdivisions;
30 and

31 (B) who is certified pursuant to the provisions of the Kansas law
32 enforcement training act, K.S.A. 74-5601 et seq., and amendments thereto.

33 (3) "Municipality" means city, county or township.

34 (4) "State agency" shall have the meaning ascribed to such term in
35 K.S.A. 75-3701, and amendments thereto.

36 Sec. 2. K.S.A. 2012 Supp. 40-1709 is hereby amended to read as

1 follows: 40-1709.(a) (1) Except as provided in ~~paragraphs (2) and (3)~~
2 *paragraph (2)*, whenever a municipality provides for the payment of
3 premiums for any health benefit plan for its firefighters, it shall pay
4 premiums for the continuation of coverage under COBRA for the
5 surviving spouse and *eligible* dependent children *under the age of 26*
6 *years* of a firefighter who dies in the line of duty. Premiums for
7 continuation of coverage under COBRA shall be paid for 18 months.

8 (2) A municipality may not be required to pay the premiums
9 described in paragraph (1) for a surviving spouse:

10 (A) On or after the end of the 18th calendar month after the date of
11 death of the deceased firefighter;

12 (B) upon the remarriage of the deceased firefighter's surviving
13 spouse; or

14 (C) upon the deceased firefighter's surviving spouse reaching the age
15 of 65.

16 ~~(3) An individual is not a dependent child of a deceased firefighter for~~
17 ~~the purposes of paragraph (1) after such individual reaches the age of 18~~
18 ~~years unless such individual is a:~~

19 ~~(A) Full-time student in an accredited high school; or~~

20 ~~(B) full-time student in a postsecondary educational institution,~~
21 ~~except that this subparagraph shall not apply to such an individual after the~~
22 ~~close of the calendar year in which the individual reaches the age of 24 as~~
23 ~~long as such individual continues to maintain such status as a full-time~~
24 ~~student.~~

25 (b) For the purposes of this section:

26 (1) "Firefighter" means an actual member of an organized fire
27 department, of a municipality, whether regular or volunteer.

28 (2) "Health benefit plan" shall have the meaning ascribed to it in
29 K.S.A. 40-4602, and amendments thereto.

30 (3) "Municipality" means city, county or township.

31 (4) "Postsecondary educational institution" shall have the meaning
32 ascribed to it in K.S.A. 74-3201b, and amendments thereto.

33 Sec. 3. K.S.A. 2012 Supp. 40-1709 is hereby repealed.

34 Sec. 4. This act shall take effect and be in force from and after its
35 publication in the statute book.