

By Representative Waters

1 A bill to be entitled
2 An act relating to health insurance for persons
3 called to active military duty; amending s.
4 627.6692, F.S.; specifying that the termination
5 of employment of an employee after a period of
6 active military duty constitutes a separate
7 qualifying event for purposes of allowing the
8 employee to elect to continue coverage under
9 the employer's group health plan; providing for
10 an additional benefits period under certain
11 circumstances; specifying additional separate
12 and distinct qualifying events; providing that
13 the maximum time period for which coverage may
14 be continued under an employer's group health
15 plan for an individual who has elected coverage
16 and who is called to active military duty shall
17 be tolled for the time that the individual is
18 covered under the federal TRICARE health care
19 program; providing a time period within which
20 the individual may elect to continue coverage
21 under the employer's group health plan after
22 TRICARE coverage terminates; providing an
23 effective date.

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25 Be It Enacted by the Legislature of the State of Florida:

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27 Section 1. Paragraphs (h), (i), and (j) are added to
28 subsection (5) of section 627.6692, Florida Statutes, to read:
29 627.6692 Florida Health Insurance Coverage
30 Continuation Act.--

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1 (5) CONTINUATION OF COVERAGE UNDER GROUP HEALTH
2 PLANS.--

3 (h) If a covered employee is in the military reserve
4 or National Guard and is called to active duty and the
5 employee's employment is terminated either after or during the
6 active duty period, the termination is a separate qualifying
7 event, distinct from the qualifying event that may have
8 occurred when the employee was called to active duty, and the
9 employee and other qualified beneficiaries are eligible for a
10 new 18-month benefit period beginning on the later of the date
11 active duty ends or the date of termination of employment.

12 (i) If a covered employee is in the military reserve
13 or National Guard, is called to active duty, and:

- 14 1. The employee dies during the period of active duty;
15 2. There is a divorce or legal separation of the
16 covered employee from the covered employee's spouse; or
17 3. A dependent child ceases to be a dependent child
18 under the requirements of the employer's group health plan,

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20 such events are qualifying events distinct from the qualifying
21 event that may have occurred when the employee was called to
22 active duty.

23 (j) Notwithstanding paragraph (b), if a qualified
24 beneficiary in the military reserve or National Guard has
25 elected to continue coverage and is thereafter called to
26 active duty and the coverage under the group plan is
27 terminated by the beneficiary or the carrier due to the
28 qualified beneficiary becoming eligible for TRICARE (the
29 health care program provided by the U.S. Defense Department),
30 the 18-month period or such other applicable maximum time
31 period for which the qualified beneficiary would otherwise be

1 entitled to continue coverage is tolled during the time that
2 he or she is covered under the TRICARE program. Within 30 days
3 after the federal TRICARE coverage terminates, the qualified
4 beneficiary may elect to continue coverage under the group
5 health plan, retroactively to the date coverage terminated
6 under TRICARE, for the remainder of the 18-month period or
7 such other applicable time period, subject to termination of
8 coverage at the earliest of the conditions specified in
9 paragraph (b).

10 Section 2. This act shall take effect upon becoming a
11 law.

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13 HOUSE SUMMARY

14 Specifies that the termination of employment of an
15 employee after a period of active military duty
16 constitutes a separate qualifying event for purposes of
17 allowing the employee to elect to continue coverage under
18 the employer's group health plan and provides eligibility
19 for a new 18-month benefit period. Specifies death,
20 divorce, or the cessation of dependence of a child during
21 active duty as separate and distinct additional
22 qualifying events. Provides that the maximum time period
23 for which coverage may be continued under an employer's
24 group health plan for an individual who has elected
25 coverage and who is called to active military duty shall
26 be tolled for the time that the individual is covered
27 under the TRICARE health care program. Provides a time
28 period within which the individual may elect to continue
29 coverage under the employer's group health plan after
30 TRICARE coverage terminates.
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