

By Senator Burt

16-484-02

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; tolling the

10          maximum time period for which coverage may be

11          continued under an employer's group health plan

12          for an individual who has elected coverage and

13          who is called to active military duty, for the

14          time that the individual is covered under the

15          federal TRICARE health care program; providing

16          a time period within which the individual may

17          elect to continue coverage under the employer's

18          group health plan after TRICARE coverage

19          terminates; providing an effective date.

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

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23           Section 1. Paragraphs (h) and (i) are added to

24 subsection (5) of section 627.6692, Florida Statutes, to read:

25           627.6692 Florida Health Insurance Coverage

26 Continuation Act.--

27           (5) CONTINUATION OF COVERAGE UNDER GROUP HEALTH

28 PLANS.--

29           (h) If a covered employee is in the military reserve

30 or National Guard and is called to active duty and, after the

31 active duty period ends, the employee's employment is

1 terminated, the termination is a separate qualifying event,  
2 distinct from the qualifying event that may have occurred when  
3 the employee was called to active duty.

4 (i) Notwithstanding paragraph (b), if a qualified  
5 beneficiary in the military reserve or National Guard who  
6 elects to continue coverage and is thereafter called to active  
7 duty and has the coverage under the group plan terminated by  
8 the beneficiary or the carrier due to the qualified  
9 beneficiary becoming eligible for TRICARE (the health care  
10 program provided by the U.S. Defense Department), the 18-month  
11 period or such other applicable maximum time period for which  
12 the qualified beneficiary would otherwise be entitled to  
13 continue coverage is tolled during the time that he or she is  
14 covered under the TRICARE program. Within 30 days after the  
15 federal TRICARE coverage terminates, the eligible employee may  
16 elect to continue coverage under the group health plan,  
17 retroactively to the date coverage terminated under TRICARE,  
18 for the remainder of the 18-month period or such other  
19 applicable time period as otherwise applied for, subject to  
20 termination of coverage at the earliest of the conditions  
21 specified in paragraph (b).

22 Section 2. This act shall take effect upon becoming a  
23 law.

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SENATE SUMMARY

Specifies that the termination of employment of an employee after a period of active military duty constitutes a separate qualifying event for purposes of allowing the employee to elect to continue coverage under the employer's group health plan. Tolls the maximum time period for which coverage may be continued under an employer's group health plan for an individual who has elected coverage and who is called to active military duty, for the time that the individual is covered under the TRICARE health care program. Provides a time period within which the individual may elect to continue coverage under the employer's group health plan after TRICARE coverage terminates.