

By the Committee on Banking and Insurance; and Senators Burt and Mitchell

311-541-02

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 during or after a
6 period of active military duty constitutes a
7 separate qualifying event for purposes of
8 allowing the employee to elect to continue
9 coverage under the employer's group health
10 plan; specifying when such coverage period
11 begins; specifying other qualifying events that
12 allow for continuation of coverage if a covered
13 employee is called to active duty; tolling the
14 maximum time period for which coverage may be
15 continued under an employer's group health plan
16 for an individual who has elected coverage and
17 who is called to active military duty, for the
18 time that the individual is covered under the
19 federal TRICARE health care program; providing
20 a time period within which the individual may
21 elect to continue coverage under the employer's
22 group health plan after TRICARE coverage
23 terminates; providing an 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 and 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 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
14 COMMITTEE SUBSTITUTE FOR
15 Senate Bill 42-B

16 Provides that if an employee is called to active duty and is
17 terminated from his job either during or after the period of
18 active duty, the employee would be allowed to continue
19 coverage under the employer's group plan for 18 months,
20 beginning on the later of the date of termination of
21 employment or the end of the active duty period.

22 Provides that if an employee who is called to active duty dies
23 during the period of active duty, or if there is a divorce or
24 legal separation, or if a dependent child reaches the age
25 where they are no longer covered under the group policy, the
26 qualified beneficiary would be entitled to elect continuation
27 of coverage under the employer's group plan at the time of
28 such event.

29 Clarifies that the right to elect continuation of coverage
30 after federal TRICARE coverage terminates applies to all
31 qualified beneficiaries.