

Representative Brian Doughty proposes the following substitute bill:

AMENDMENTS TO PUBLIC EMPLOYEE HEALTH CARE

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brian Doughty

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends the Public Employees' Benefit and Insurance Program Act.

Highlighted Provisions:

This bill:

- ▶ creates a definition for a dependent eligible for coverage under the Public Employees' Benefit and Insurance Program Act; and
- ▶ defines "directly dependent upon" or "interdependent with" for purposes of an unmarried employee's adult designee.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

49-20-102, as renumbered and amended by Laws of Utah 2002, Chapter 250

ENACTS:

49-20-102.5, Utah Code Annotated 1953



26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **49-20-102** is amended to read:

28 **49-20-102. Definitions.**

29 As used in this chapter:

30 (1) "Covered employer" means an employer that offers employee benefit plans under
31 this chapter to its employees and their dependents.

32 (2) "Covered individual" means an employee and the employee's dependents eligible
33 for coverage under this chapter.

34 (3) "Dependent" shall:

35 (a) be defined by rule adopted by the board; and

36 (b) an unmarried state employee may include one unmarried adult designee, who:

37 (i) is at least 18 years of age;

38 (ii) is directly dependent upon, or interdependent with the employee; and

39 (iii) resided in the same domicile as the employee for at least the last 12 months and
40 intends to continue to reside with the employee.

41 (4) "Directly dependent upon" or "interdependent with" means an employee and one
42 adult designee who share common financial obligations as documented through any three of
43 the following four documents:

44 (a) a joint loan obligation, mortgage, lease, or joint ownership of:

45 (i) a vehicle;

46 (ii) real estate; or

47 (iii) a residence;

48 (b) any of the following documents in which the adult designee is named a beneficiary,
49 executor, or successor trustee:

50 (i) a life insurance policy;

51 (ii) a retirement benefit account;

52 (iii) a will; or

53 (iv) a trust;

54 (c) a power of attorney for the purpose of healthcare decisions, or financial
55 management:

56 (i) granted mutually between the employee and the adult designee; or

57 (ii) granted to the state employee by the adult designee; or
58 (d) a joint bank account or credit account, which could include proof that the adult
59 designee or the employee is authorized to sign for purposes of the other's bank or credit
60 account.

61 [~~(3)~~] (5) "Employee Benefit Plans" means any group health, dental, medical, disability,
62 life insurance, medicare supplement, conversion coverage, cafeteria, flex plans, or other
63 program for covered individuals administered by the Public Employees' Benefit and Insurance
64 Program.

65 [~~(4)~~] (6) "Employer" means the state, its political subdivisions, and educational
66 institutions.

67 [~~(5)~~] (7) "Program" means the Public Employees' Benefit and Insurance Program.

68 Section 2. Section **49-20-102.5** is enacted to read:

69 **49-20-102.5. Political subdivisions and education -- Adult designee.**

70 (1) "State employee" in Subsection 49-20-102(3)(b) does not require a public school
71 district, charter school, or institution of higher education that participates in the state employee
72 risk pool to offer adult designee benefits.

73 (2) The provisions of Subsection 49-20-102(3)(b) do not prohibit an entity described in
74 Subsection 49-20-201(1)(b) from offering benefits under this chapter to an adult designee.