

26 ▶ makes technical and conforming changes.

27 **Money Appropriated in this Bill:**

28 None

29 **Other Special Clauses:**

30 This bill provides a special effective date.

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **53-17-201**, as last amended by Laws of Utah 2016, Chapter 261

34 **53-17-301**, as last amended by Laws of Utah 2016, Chapter 261

35 **53-17-401**, as enacted by Laws of Utah 2015, Chapter 166



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

38 Section 1. Section **53-17-201** is amended to read:

39 **53-17-201. Surviving spouse and children health coverage for line-of-duty death.**

40 (1) (a) Subject to Subsection (1)(b), and in accordance with this section, an employer
41 shall allow the surviving spouse and children of a member whose death is classified by the
42 Utah State Retirement Office as a line-of-duty death under the provisions of Title 49, Utah
43 State Retirement and Insurance Benefit Act, to remain eligible for health coverage under the
44 employer's group health plan as if the surviving spouse was an employee of the employer.

45 (b) ~~Ĥ→ [(i)] [f] The [f] [Except as provided in Subsection (1)(b)(ii), the] ←Ĥ~~ employer
45a shall pay 100%
46 of the premium costs and, if the health coverage is a high-deductible plan, the employer share
47 of any contribution into a health savings account for the surviving spouse and dependent
48 children as described under Subsections (1)(a) and (2), and may not require payment from the
49 surviving spouse for premium costs or health savings account contributions as a condition of
50 qualifying to continue to receive the health coverage.

51 ~~Ĥ→ [(ii) If a surviving spouse and children are eligible to be covered under a group health
52 coverage plan through the employment of the surviving spouse or, if the surviving spouse
53 remarries, the employment of the spouse of the remarried surviving spouse, the employer:
54 ——— (A) shall pay the employer share of the premium costs and, if the health coverage is a
55 high-deductible plan, the employer share of any contribution into a health savings account for
56 the surviving spouse and dependent children as described under Subsections (1)(a) and (2); and~~

57 ~~—— (B) may collect from the surviving spouse and children the portion of the premium~~
 58 ~~costs that a current employee would pay for the same plan as a condition of qualifying to~~
 59 ~~continue to receive health coverage under this section.~~
 60 ~~—— (iii) Notwithstanding Subsection (1)(b)(ii), if the surviving spouse and children lose~~
 61 ~~their eligibility to be covered under a group health coverage plan through the employment of~~
 62 ~~the surviving spouse or, if the surviving spouse remarries, the employment of the spouse of the~~
 63 ~~remarried surviving spouse, the employer shall pay 100% of the premium costs and, if the~~
 64 ~~health coverage is a high-deductible plan, the employer share of any contribution into a health~~
 65 ~~savings account for the surviving spouse and dependent children as described under~~
 66 ~~Subsections (1)(a) and (2), and may not require payment from the surviving spouse for~~
 67 ~~premium costs or health savings account contributions as a condition of qualifying to continue~~
 68 ~~to receive the health coverage.] ←H~~

69 [(ii)] (c) For the first [24] 12 months after the line-of-duty death, the employer shall
 70 pay the amount specified under Subsection (1)(b)[(i)].

71 [(iii)] (d) Beginning [25] 13 months after the line-of-duty death, an employer may pay
 72 the amount specified under Subsection (1)(b)[(i)] through a cost-sharing agreement under
 73 Section 53-17-301 associated with the trust fund created under Section 53-17-401.

74 (2) An employer shall allow a surviving spouse and children to remain eligible to
 75 receive health coverage from the employer under this section at the option of the surviving
 76 spouse:

77 (a) for health coverage for the surviving spouse, until the surviving spouse becomes
 78 eligible for Medicare; and

79 (b) for health coverage of a child, until the child reaches the age of 26.

80 (3) This section does not apply to a member who:

81 (a) does not qualify for a line-of-duty death benefit under Title 49, Utah State
 82 Retirement and Insurance Benefit Act;

83 (b) at the time of death, did not receive or qualify to receive employer group health
 84 coverage; or

85 (c) is covered under Section 49-20-406.

86 Section 2. Section **53-17-301** is amended to read:

87 **53-17-301. Cost-sharing agreements -- Deadlines -- Terms -- Reports --**