

109TH CONGRESS
1ST SESSION

H. R. 4424

To amend title 5, United States Code, to make family members of public safety officers killed in the line of duty eligible for coverage under the Federal employees health benefits program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2005

Mr. STUPAK (for himself, Mr. RAMSTAD, Mrs. MCCARTHY, Mr. KENNEDY of Rhode Island, Mr. BISHOP of Georgia, Mr. PALLONE, and Mrs. MALONEY) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To amend title 5, United States Code, to make family members of public safety officers killed in the line of duty eligible for coverage under the Federal employees health benefits program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ELIGIBILITY FOR HEALTH BENEFITS.**

4 (a) IN GENERAL.—Chapter 89 of title 5, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

1 **“§ 8915. Coverage for survivors of public safety offi-**
2 **cers killed in the line of duty**

3 “(a) For purposes of this section—

4 “(1) the term ‘qualified individual’ means an
5 individual who, as of the date on which such indi-
6 vidual first submits an application for health bene-
7 fits coverage under this section, is a member of the
8 family of a public safety officer killed in the line of
9 duty;

10 “(2) the term ‘member of the family’ has the
11 meaning such term would have under paragraph (5)
12 of section 8901 if each reference in such paragraph
13 to an ‘employee or annuitant’ were treated as a ref-
14 erence to a public safety officer killed in the line of
15 duty; and

16 “(3) the term ‘public safety officer killed in the
17 line of duty’ means a public safety officer (as de-
18 fined by section 1204 of the Omnibus Crime Control
19 and Safe Streets Act of 1968) who died as the direct
20 and proximate result of a personal injury sustained
21 in the line of duty (as determined under section
22 1201 of such Act).

23 “(b) Under regulations prescribed by the Office of
24 Personnel Management, a qualified individual may enroll
25 in an approved health benefits plan described by section
26 8903 or 8903a as an individual or for self and family.

1 “(c) The regulations shall specify the terms and con-
2 ditions of coverage under this section, which shall, to the
3 extent practicable, be consistent with those applicable in
4 the case of an individual having continued enrollment as
5 a family member under section 8905(b)(2).

6 “(d) An application for health benefits coverage
7 under this section shall be submitted at such time, in such
8 manner, and together with such information or evidence
9 of eligibility for coverage as the Office may by regulation
10 require.

11 “(e)(1) Notwithstanding any other provision of this
12 chapter—

13 “(A) the amount necessary to pay the total en-
14 rollment charge for an individual who is enrolled in
15 a health benefits plan under this section shall be
16 paid by such individual and the Government in the
17 same proportions as would apply in the case of an
18 annuitant—

19 “(i) with the individual contribution to be
20 paid currently into the Employees Health Bene-
21 fits Fund under arrangements satisfactory to
22 the Office; and

23 “(ii) with the Government contribution to
24 be made from annual appropriations which are

1 authorized to be made for that purpose and
2 which may be made available until expended;

3 “(B) an individual may not enroll or remain en-
4 rolled in a health benefits plan under this section, by
5 virtue of being the widow or widower of a public
6 safety officer killed in the line of duty, if such indi-
7 vidual remarries; and

8 “(C) an individual whose enrollment under this
9 section is terminated, whether voluntarily or involun-
10 tarily, shall be barred from subsequently reenrolling
11 under this section.

12 “(2) The Office may, in its sole discretion, waive the
13 provisions of subparagraph (B) or (C) of paragraph (1)
14 if the Office determines that, due to exceptional cir-
15 cumstances, it would be against equity and good con-
16 science not to allow such individual to enroll, remain en-
17 rolled, or to reenroll (as the case may be).

18 “(f) The regulations prescribed by the Office to carry
19 out this section shall include, in the case of an individual
20 who obtains coverage under this section but who (even if
21 this section had never been enacted) would otherwise have
22 been eligible for health benefits under this chapter, provi-
23 sions to ensure that the rights afforded to such individual
24 under this chapter are not adversely affected as a result
25 of the enactment of this section.

1 “(g) The Bureau of Justice Assistance of the Depart-
2 ment of Justice shall keep such records, make such certifi-
3 cations, and furnish the Office such information and re-
4 ports as may be necessary to enable the Office to carry
5 out its functions under this section.”.

6 (b) CONFORMING AMENDMENT.—The table of sec-
7 tions for chapter 89 of title 5, United States Code, is
8 amended by adding at the end the following:

“8915. Coverage for survivors of public safety officers killed in the line of
duty.”.

9 (c) EFFECTIVE DATE.—The amendments made by
10 this section shall apply with respect to coverage in contract
11 years beginning not less than 6 months after the date of
12 the enactment of this Act.

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