

110TH CONGRESS
1ST SESSION

H. R. 2391

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

MAY 17, 2007

Mr. STUPAK (for himself and Mr. RAMSTAD) introduced the following bill; which was referred to the Committee on Oversight and 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. SHORT TITLE.**

4 This Act may be cited as the “Public Safety Officer

5 Family Health Benefits Act”.

1 **SEC. 2. ELIGIBILITY FOR HEALTH BENEFITS.**

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

5 **“§ 8915. Coverage for survivors of public safety offi-
6 cers killed in the line of duty**

7 “(a) For purposes of this section—

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

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

20 “(3) the term ‘public safety officer killed in the
21 line of duty’ means a public safety officer (as de-
22 fined by section 1204 of the Omnibus Crime Control
23 and Safe Streets Act of 1968) who died as the direct
24 and proximate result of a personal injury sustained
25 in the line of duty (as determined under section
26 1201 of such Act).

1 “(b) Under regulations prescribed by the Office of
2 Personnel Management, a qualified individual may enroll
3 in an approved health benefits plan described by section
4 8903 or 8903a as an individual or for self and family.

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

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

15 “(e)(1) Notwithstanding any other provision of this
16 chapter—

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

23 “(i) with the individual contribution to be
24 paid currently into the Employees Health Bene-

1 fits Fund under arrangements satisfactory to
2 the Office; and

3 “(ii) with the Government contribution to
4 be made from annual appropriations which are
5 authorized to be made for that purpose and
6 which may be made available until expended;

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

12 “(C) an individual whose enrollment under this
13 section is terminated, whether voluntarily or involun-
14 tarily, shall be barred from subsequently reenrolling
15 under this section.

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

22 “(f) The regulations prescribed by the Office to carry
23 out this section shall include, in the case of an individual
24 who obtains coverage under this section but who (even if
25 this section had never been enacted) would otherwise have

1 been eligible for health benefits under this chapter, provi-
2 sions to ensure that the rights afforded to such individual
3 under this chapter are not adversely affected as a result
4 of the enactment of this section.

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

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

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

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

