

VIRGINIA ACTS OF ASSEMBLY -- 2000 SESSION

CHAPTER 616

An Act to amend and reenact § 2.1-133.7:1 of the Code of Virginia, relating to persons killed in the line of duty; benefits to surviving spouses.

[S 415]

Approved April 8, 2000

Be it enacted by the General Assembly of Virginia:

1. That § 2.1-133.7:1 of the Code of Virginia is amended and reenacted as follows:

§ 2.1-133.7:1. Continued health insurance coverage for disabled employees, their spouses and dependents, and for the surviving spouse and dependents of certain deceased law-enforcement officers, firefighters, etc.

A. If the deceased's death: (i) occurred while in the line of duty as the direct or proximate result of the performance of his duty or (ii) was subject to the provisions of §§ 27-40.1, 27-40.2, 51.1-813 or § 65.2-402, and arose out of and in the course of his employment, his surviving spouse and any dependents shall be afforded continued health insurance coverage. The cost of such health insurance coverage shall be paid in full out of the general fund of the state treasury.

B. If the disabled employee's disability: (i) occurred while in the line of duty as the direct or proximate result of the performance of his duty or (ii) was subject to the provisions of §§ 27-40.1, 27-40.2, 51.1-813 or § 65.2-402, and arose out of and in the course of his employment, the disabled employee, his surviving spouse and any dependents shall be afforded continued health insurance coverage. The cost of such health insurance coverage shall be paid in full out of the general fund of the state treasury.

C. The continued health insurance coverage provided by this section shall be the same plan of benefits which the deceased or disabled employee was entitled to on the last day of his active duty or comparable benefits established as a result of a replacement plan.

D. For any spouse, continued health insurance provided by this section shall terminate upon such spouse's death, ~~remarriage~~ or coverage by alternate health insurance.

E. For dependents, continued health insurance provided by this section shall terminate upon such dependent's death, marriage, coverage by alternate health insurance or twenty-first birthday. Continued health care insurance shall be provided beyond the dependent's twenty-first birthday if the dependent is a full-time college student and shall continue until such time as the dependent ceases to be a full-time student or reaches his twenty-fifth birthday, whichever occurs first. Continued health care insurance shall also be provided beyond the dependent's twenty-first birthday if the dependent is mentally or physically disabled, and such coverage shall continue until three months following the cessation of the disability.

F. For any disabled employee, continued health insurance provided by this section shall automatically terminate upon the disabled employee's death, recovery or return to full duty in any position listed in the definition of deceased in § 2.1-133.6.