

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4 [S 415]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 2.1-133.7:1 of the Code of Virginia is amended and reenacted as follows:**

8 § 2.1-133.7:1. Continued health insurance coverage for disabled employees, their spouses and  
9 dependents, and for the surviving spouse and dependents of certain deceased law-enforcement officers,  
10 firefighters, etc.

11 A. If the deceased's death: (i) occurred while in the line of duty as the direct or proximate result of  
12 the performance of his duty or (ii) was subject to the provisions of §§ 27-40.1, 27-40.2, 51.1-813 or  
13 § 65.2-402, and arose out of and in the course of his employment, his surviving spouse and any  
14 dependents shall be afforded continued health insurance coverage. The cost of such health insurance  
15 coverage shall be paid in full out of the general fund of the state treasury.

16 B. If the disabled employee's disability: (i) occurred while in the line of duty as the direct or  
17 proximate result of the performance of his duty or (ii) was subject to the provisions of §§ 27-40.1,  
18 27-40.2, 51.1-813 or § 65.2-402, and arose out of and in the course of his employment, the disabled  
19 employee, his surviving spouse and any dependents shall be afforded continued health insurance  
20 coverage. The cost of such health insurance coverage shall be paid in full out of the general fund of the  
21 state treasury.

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

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

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

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

ENROLLED

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