

## 2002 SESSION

INTRODUCED

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### HOUSE BILL NO. 762

Offered January 9, 2002

Prefiled January 9, 2002

A *BILL to amend the Code of Virginia by adding a section numbered 65.2-500.1, relating to workers' compensation benefits; health insurance premiums.*

Patrons—Watts and Woodrum

Referred to Committee on Commerce and Labor

#### **Be it enacted by the General Assembly of Virginia:**

#### **1. That the Code of Virginia is amended by adding a section numbered 65.2-500.1 as follows:**

*§ 65.2-500.1. Compensation to include health insurance benefit.*

*A. As used in this section, "health insurance benefit" means the employer's payments to or for the benefit of an employee, or the pro rata share of such payments for a group of employees, in order to provide the employee and covered dependents with coverage in a group health insurance plan or other similar plan providing health care services or coverage offered by the employer.*

*B. If an employee's incapacity for work resulting from the injury is total and the employee was receiving a health insurance benefit from the employer at the time of the injury, then, in addition to any other benefits provided pursuant to the provisions of this chapter, the employer shall, for the same period as compensation for total incapacity is payable as provided in § 65.2-500, either:*

*1. Pay the amount of the health insurance benefit to the employee, if the employee ceases to be covered by the health insurance plan;*

*2. Allow the employee to continue to participate in the health insurance plan that is provided by the employer to its employees, in which event the employer shall provide the same or similar health insurance benefit to or for the employee as was provided at the time of the injury; or*

*3. Reimburse the employee's costs of COBRA continuation coverage under the health insurance plan, if the employee elects to continue to participate in the health insurance plan pursuant to a COBRA continuation provision, as such term is defined in § 38.2-3431.*

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