

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

Committee Substitute for House Bill 23 (FIN) ver O Survivors' Medical Benefits – Sectional Analysis

Section 1.

Sec. 39.60.005. Establishes that the state and municipalities shall pay health insurance premiums for the surviving dependents of eligible police officers and firefighters.

Sec. 39.60.010. Police officer and firefighter survivors' fund established. Establishes a police officer and firefighter survivors' fund in the Department of Public Safety to pay the medical insurance premiums on behalf of eligible survivors of a police officer or firefighter. Premium payments are made to the deceased's former employer-sponsored medical insurance provider. The fund consists of donations and appropriations to the fund. The fund consists of two accounts, one for state employees and one for employees of a small municipality.

The legislature may make appropriations to the fund. The funds do not lapse. Money appropriated to the fund may be spent for the purposes of the fund without further appropriation.

Sec. 39.60.020. Powers and duties of the commissioner. The commissioner of Public Safety annually determines the amount of money needed to pay premiums for eligible survivors and associated administrative costs. The commissioner shall adopt regulations to implement the chapter.

Sec. 39.60.030. Payment authorized. The commissioner may use money in the fund's state account to pay health insurance premiums for eligible survivors of a state employee and for administrative costs. Money from the small municipality account may be used to pay 50 percent of the premium for a surviving dependent of an employee of a small municipality.

Sec. 39.60.040. Eligibility of surviving dependents of police officers and firefighters for health insurance premiums. A surviving dependent of a deceased police officer may apply to the Department of Public Safety commissioner for payment of their medical insurance premiums. The survivor is eligible for premium payments if, at the time of death, the deceased was a full-time employee; the survivor was receiving employer-sponsored health insurance benefits; the proximate cause of death was a bodily injury or hazard incurred while in the performance and within the scope of the employee's duties; and the injury or hazard was not the proximate result of wilful negligence by the employee.

A surviving spouse becomes ineligible for payments from the fund when the spouse becomes eligible for major medical insurance coverage by other means or reaches 65 years of age, whichever comes first. Except for a child who is totally and permanently disabled, a dependent child becomes

ineligible when they receive major medical insurance coverage by other means or reaches 26 years of age, whichever comes first.

The commissioner shall pay the premium for the level of health coverage that applied at the time of the employee's death. Payments are made to the applicable employer health insurance provider.

Sec. 39.60.050. Municipal contribution. Municipalities with populations of 10,000 or more shall pay the full premium for eligible dependents of municipal police officers and firefighters. For small municipalities with populations less than 10,000, the municipality shall pay 50 percent of the premiums, and the other half will be paid from available funds in the municipal account created in the fund.

Sec. 39.60.190. Definitions.

The definitions include a definition of "police officer" that has the meaning given in AS 18.65.290. That statute defines police officers as follows:

AS 18.65.290(7): "police officer" means (A) an employee of the state or a municipal police department with the authority to arrest and issue citations; detain a person taken into custody until that person can be arraigned before a judge or magistrate; conduct investigations of violations of and enforce criminal laws, regulations, and traffic laws; search with or without a warrant persons, dwellings, and other forms of property for evidence of a crime; and take other action consistent with exercise of these enumerated powers when necessary to maintain the public peace;

(B) an officer or employee of the Department of Transportation and Public Facilities who is stationed at an international airport and has been designated to have the general police powers authorized under AS 02.15.230(a);

(C) a University of Alaska public safety officer with general police powers authorized under AS 14.40.043.

A "firefighter" is defined as an employee of the state or a municipality employed to perform fire suppression services.

A "small municipality" means a municipality with a population of less than 10,000.

Sec. 2. Amends AS 44.41.020 to add that the Department of Public Safety shall manage the police officer and firefighter survivors' fund in cooperation with the Department of Administration. The Department of Public Safety shall establish standardized forms for use in administering the funds.

Sec. 3. Transition: Regulations. The commissioner of public safety may adopt regulations to implement the Act.

Sec. 4. Sec. 3 takes effect immediately.

Sec. 5. Other than sec. 3, the Act takes effect July 1, 2017.