

Senate Bill No. 404—Senators James, Townsend, O’Connell, Rawson, Carlton, Amodei, Care, Coffin, Jacobsen, Mathews, McGinness, Neal, Porter, Raggio, Rhoads, Schneider, Shaffer, Titus, Washington and Wiener

CHAPTER.....

AN ACT relating to programs for public employees; providing for coverage under certain programs of group insurance or other medical or hospital service without charge for the surviving spouse and any surviving child of certain police officers and firemen; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 287 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. *Except as otherwise provided in subsection 3, the surviving spouse and any surviving child of a police officer or fireman who was:*

(a) Employed by a public agency that had established group insurance or medical and hospital service pursuant to NRS 287.010, 287.020 or 287.025; and

(b) Killed in the line of duty, may elect to accept or continue coverage under that group insurance or medical and hospital service if the police officer or fireman was a participant or would have been eligible to participate in the group insurance or medical and hospital service on the date of the death of the police officer or fireman. If the surviving spouse or child elects to accept coverage under the group insurance or medical and hospital service in which the police officer or fireman would have been eligible to participate or to discontinue coverage under the group insurance or medical and hospital service in which the police officer or fireman was a participant, the spouse, child or legal guardian of the child must notify in writing the public agency that employed the police officer or fireman within 60 days after the date of death of the police officer or fireman.

2. The public agency that employed the police officer or fireman shall pay the entire cost of the premiums or contributions for the group insurance or medical and hospital service for the surviving spouse or child who meets the requirements set forth in subsection 1.

3. A surviving spouse is eligible to receive coverage pursuant to this section for the duration of the life of the surviving spouse. A surviving child is eligible to receive coverage pursuant to this section until the child reaches:

(a) The age of 18 years; or

(b) The age of 23 years, if the child is enrolled as a full-time student in an accredited university, college or trade school.

4. As used in this section “police officer” has the meaning ascribed to it in NRS 617.135.

Sec. 3. 1. Except as otherwise provided in subsection 4, the surviving spouse and any surviving child of a police officer or fireman who was employed by a participating public agency and who was killed in the line of duty may join or continue coverage under the state’s program of group insurance if the police officer or fireman was a participant or would have been eligible to participate on the date of the death of the police officer or fireman. If the surviving spouse or child elects to join or discontinue coverage under the state’s program of group insurance pursuant to this subsection, the spouse, child or legal guardian of the child must notify in writing the participating public agency that employed the police officer or fireman within 60 days after the date of death of the police officer or fireman.

2. Except as otherwise provided in subsection 4, the surviving spouse and any surviving child of a volunteer fireman who was killed in the line of duty and who was officially a member of a volunteer fire department in this state is eligible to join the state’s program of group insurance. If such a spouse or child elects to join the state’s program of group insurance, the spouse, child or legal guardian of the child must notify in writing the committee on benefits within 60 days after the date of death of the volunteer fireman.

3. The participating public agency that employed the police officer or fireman shall pay the entire cost of the premiums or contributions for the state’s program of group insurance for the surviving spouse or child who meets the requirements set forth in subsection 1. The State of Nevada shall pay the entire cost of the premiums or contributions for the state’s program of group insurance for the surviving spouse or child who elects to join the state’s program of group insurance pursuant to subsection 2.

4. A surviving spouse is eligible to receive coverage pursuant to this section for the duration of the life of the surviving spouse. A surviving child is eligible to receive coverage pursuant to this section until the child reaches:

(a) The age of 18 years; or

(b) The age of 23 years, if the child is enrolled as a full-time student in an accredited university, college or trade school.

5. As used in this section “police officer” has the meaning ascribed to it in NRS 617.135.

Sec. 4. NRS 287.040 is hereby amended to read as follows:

287.040 The provisions of NRS 287.010 to 287.040, inclusive, **and section 2 of this act**, do not make it compulsory upon any governing body of any county, school district, municipal corporation, political subdivision, public corporation or other public agency of the State of Nevada to , **except as otherwise provided in section 2 of this act**, make any contributions for the payment of any premiums or other costs for group insurance or medical or hospital services, or upon any officer or employee of any county, school

district, municipal corporation, political subdivision, public corporation or other public agency of this state to accept or join any plan of group insurance or to assign his wages or salary or to authorize deductions from his wages or salary in payment of premiums therefor.

Sec. 5. NRS 287.043 is hereby amended to read as follows:

287.043 The committee on benefits shall:

1. Act as an advisory body on matters relating to group life, accident or health insurance, or any combination of these, a program to reduce taxable compensation or other forms of compensation other than deferred compensation, for the benefit of all state officers and employees and other persons who participate in the state's program of group insurance.
 2. Except as otherwise provided in this subsection, negotiate and contract with the governing body of any public agency enumerated in NRS 287.010 which is desirous of obtaining group insurance for its officers, employees and retired employees by participation in the state's program of group insurance. The committee shall establish separate rates and coverage for those officers, employees and retired employees based on actuarial reports.
 3. Give public notice in writing of proposed changes in rates or coverage to each participating public employer who may be affected by the changes. Notice must be provided at least 30 days before the effective date of the changes.
 4. Purchase policies of life, accident or health insurance, or any combination of these, or a program to reduce the amount of taxable compensation pursuant to 26 U.S.C. § 125, from any company qualified to do business in this state or provide similar coverage through a plan of self-insurance for the benefit of all eligible public officers, employees and retired employees who participate in the state's program.
 5. Consult the state risk manager and obtain his advice in the performance of the duties set forth in this section.
 6. Except as otherwise provided in this Title, develop and establish other employee benefits as necessary.
 7. Adopt such regulations and perform such other duties as are necessary to carry out the provisions of NRS 287.041 to 287.049, inclusive, **and sections 2 and 3 of this act**, including the establishment of:
 - (a) Fees for applications for participation in the state's program and for the late payment of premiums;
 - (b) Conditions for entry and reentry into the state's program by public agencies enumerated in NRS 287.010; and
 - (c) The levels of participation in the state's program required for employees of participating public agencies.
 8. Appoint an independent certified public accountant. The accountant shall provide an annual audit of the plan and report to the committee and the legislative commission.
- For the purposes of this section, "employee benefits" includes any form of compensation provided to a state employee pursuant to this Title except

federal benefits, wages earned, legal holidays, deferred compensation and benefits available pursuant to chapter 286 of NRS.

Sec. 6. NRS 287.044 is hereby amended to read as follows:

287.044 1. A part of the cost of the premiums or contributions for that group insurance, not to exceed the amount specified by law, applied to both group life and group accident or health coverage, for each public officer, except a senator or assemblyman, or employee electing to participate in the group insurance program, may be paid by the department, agency, commission or public agency which employs the officer or employee in whose behalf that part is paid from money appropriated to or authorized for that department, agency, commission or public agency for that purpose. Participation by the state in the cost of premiums or contributions must not exceed the amounts specified by law. If an officer or employee chooses to cover his dependents, whenever this option is made available by the committee on benefits, *except as otherwise provided in sections 2 and 3 of this act*, he must pay the difference between the amount of the premium or contribution for the coverage for himself and his dependents and the amount paid by the state.

2. A department, agency, commission or public agency shall not pay any part of those premiums if the group life insurance or group accident or health insurance is not approved by the committee on benefits.

Sec. 7. This act becomes effective upon passage and approval.

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