

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

MARCH 12, 1999

Referred to Committee on Finance

SUMMARY—Revises provisions governing benefits of surviving family members of certain police officers and firemen. (BDR 23-1416)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State or on Industrial Insurance: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

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:

- 1 **Section 1.** Chapter 287 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 and 3 of this act.
3 **Sec. 2. 1. *Except as otherwise provided in subsection 3, the***
4 ***surviving spouse and any surviving child of a police officer or fireman***
5 ***who was:***
6 ***(a) Employed by a public agency that had established group insurance***
7 ***or medical and hospital service pursuant to NRS 287.010, 287.020 or***
8 ***287.025; and***
9 ***(b) Killed in the line of duty,***
10 ***may elect to accept or continue coverage under that group insurance or***
11 ***medical and hospital service if the police officer or fireman was a***
12 ***participant or would have been eligible to participate in the group***
13 ***insurance or medical and hospital service on the date of the death of the***
14 ***police officer or fireman. If the surviving spouse or child elects to accept***
15 ***coverage under the group insurance or medical and hospital service in***

1 *which the police officer or fireman would have been eligible to*
2 *participate or to discontinue coverage under the group insurance or*
3 *medical and hospital service in which the police officer or fireman was a*
4 *participant, the spouse, child or legal guardian of the child must notify in*
5 *writing the public agency that employed the police officer or fireman*
6 *within 60 days after the date of death of the police officer or fireman.*

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

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

15 *(a) The age of 18 years; or*

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

18 *4. As used in this section "police officer" has the meaning ascribed*
19 *to it in NRS 617.135.*

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

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

40 *3. The participating public agency that employed the police officer or*
41 *fireman shall pay the entire cost of the premiums or contributions for the*
42 *state's program of group insurance for the surviving spouse or child who*
43 *meets the requirements set forth in subsection 1. The State of Nevada*

1 *shall pay the entire cost of the premiums or contributions for the state's*
2 *program of group insurance for the surviving spouse or child who elects*
3 *to join the state's program of group insurance pursuant to subsection 2.*

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

8 *(a) The age of 18 years; or*

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

11 *5. As used in this section "police officer" has the meaning ascribed*
12 *to it in NRS 617.135.*

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

14 287.040 The provisions of NRS 287.010 to 287.040, inclusive, *and*
15 *section 2 of this act*, do not make it compulsory upon any governing body
16 of any county, school district, municipal corporation, political subdivision,
17 public corporation or other public agency of the State of Nevada to , *except*
18 *as otherwise provided in section 2 of this act*, make any contributions for
19 the payment of any premiums or other costs for group insurance or medical
20 or hospital services, or upon any officer or employee of any county, school
21 district, municipal corporation, political subdivision, public corporation or
22 other public agency of this state to accept or join any plan of group
23 insurance or to assign his wages or salary or to authorize deductions from
24 his wages or salary in payment of premiums therefor.

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

26 287.043 The committee on benefits shall:

27 1. Act as an advisory body on matters relating to group life, accident or
28 health insurance, or any combination of these, a program to reduce taxable
29 compensation or other forms of compensation other than deferred
30 compensation, for the benefit of all state officers and employees and other
31 persons who participate in the state's program of group insurance.

32 2. Except as otherwise provided in this subsection, negotiate and
33 contract with the governing body of any public agency enumerated in NRS
34 287.010 which is desirous of obtaining group insurance for its officers,
35 employees and retired employees by participation in the state's program of
36 group insurance. The committee shall establish separate rates and coverage
37 for those officers, employees and retired employees based on actuarial
38 reports.

39 3. Give public notice in writing of proposed changes in rates or
40 coverage to each participating public employer who may be affected by the
41 changes. Notice must be provided at least 30 days before the effective date
42 of the changes.

1 4. Purchase policies of life, accident or health insurance, or any
2 combination of these, or a program to reduce the amount of taxable
3 compensation pursuant to 26 U.S.C. § 125, from any company qualified to
4 do business in this state or provide similar coverage through a plan of self-
5 insurance for the benefit of all eligible public officers, employees and
6 retired employees who participate in the state's program.

7 5. Consult the state risk manager and obtain his advice in the
8 performance of the duties set forth in this section.

9 6. Except as otherwise provided in this Title, develop and establish
10 other employee benefits as necessary.

11 7. Adopt such regulations and perform such other duties as are
12 necessary to carry out the provisions of NRS 287.041 to 287.049, inclusive,
13 *and sections 2 and 3 of this act*, including the establishment of:

14 (a) Fees for applications for participation in the state's program and for
15 the late payment of premiums;

16 (b) Conditions for entry and reentry into the state's program by public
17 agencies enumerated in NRS 287.010; and

18 (c) The levels of participation in the state's program required for
19 employees of participating public agencies.

20 8. Appoint an independent certified public accountant. The accountant
21 shall provide an annual audit of the plan and report to the committee and
22 the legislative commission.

23 For the purposes of this section, "employee benefits" includes any form of
24 compensation provided to a state employee pursuant to this Title except
25 federal benefits, wages earned, legal holidays, deferred compensation and
26 benefits available pursuant to chapter 286 of NRS.

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

28 287.044 1. A part of the cost of the premiums or contributions for
29 that group insurance, not to exceed the amount specified by law, applied to
30 both group life and group accident or health coverage, for each public
31 officer, except a senator or assemblyman, or employee electing to
32 participate in the group insurance program, may be paid by the department,
33 agency, commission or public agency which employs the officer or
34 employee in whose behalf that part is paid from money appropriated to or
35 authorized for that department, agency, commission or public agency for
36 that purpose. Participation by the state in the cost of premiums or
37 contributions must not exceed the amounts specified by law. If an officer or
38 employee chooses to cover his dependents, whenever this option is made
39 available by the committee on benefits, *except as otherwise provided in*
40 *sections 2 and 3 of this act*, he must pay the difference between the amount
41 of the premium or contribution for the coverage for himself and his
42 dependents and the amount paid by the state.

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

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