

SESSION OF 2012

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 250**

As Amended by House Committee on Insurance

**Brief\***

SB 250 would enact new law to require municipalities to pay premiums for continuation of coverage under COBRA for the surviving spouse and dependent children of a firefighter who dies in the line of duty. The payment of premiums for COBRA continuation coverage would be paid for 18 months and would only be required if the deceased firefighter was enrolled in a health benefit plan for which the municipality was paying premiums.

A municipality would not be required to pay the premiums for a surviving spouse:

- On or after the end of the 18th calendar month after the date of the deceased firefighter's death;
- Upon the remarriage of the deceased firefighter's surviving spouse; or
- Upon the deceased firefighter's surviving spouse reaching the age of 65.

Dependent children of a deceased firefighter would no longer be considered dependent upon reaching the age of 18, for the purposes of coverage under the bill, unless the child is a full-time student in an accredited high school or is a full-time student in a postsecondary educational institution, until the end of the year in which the individual reaches the age of 24.

The bill also would define the terms "firefighter"; "health

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

benefit plan"; "municipality"; and "postsecondary education institution."

The bill would be in effect upon publication in the *Kansas Register*.

## **Background**

The bill was introduced by Senators Oletha Faust-Goudeau, Dick Kelsey, and Allen Schmidt. A companion bill, HB 2448, was introduced in the House of Representatives. At the Senate Committee on Financial Institutions and Insurance hearing, the sponsors of the bill provided testimony in favor of the bill. Other proponents included representatives of the Kansas State Council of Fire Fighters, the Kansas State Firefighters Association, Inc., and the Wichita Firefighters Union.

The proponents provided testimony in favor of the bill, stating the bill is designed to provide some protection to the surviving spouse and dependent children. The proponents shared the story of the surviving family members of Captain Urban Eck, who passed away in Wichita on January 2, 2010, as a result of his firefighting duties. There was no neutral or opponent testimony provided at the time of the Senate Committee hearing.

The Senate Financial Institutions and Insurance Committee amended the bill to require municipalities to pay premiums for the continuation of coverage under COBRA for 18 months. The original bill would have required municipalities to pay premiums for the surviving spouse and dependent children's health benefit plan coverage for five years.

The House Insurance Committee amendment changed the publication date specified in the bill to publication in the *Kansas Register*.

The fiscal note provided by the Division of the Budget on the original bill states enactment of the bill would have no fiscal effect on the state; however, the League of Kansas Municipalities and the Kansas Association of Counties reported enactment would increase municipality health care costs.

According to information made available to staff and published by the Kansas State Firefighters Association, Inc., there have been 23 in the line-of-duty firefighter deaths from 2000 to 2011. The 23 in the line-of-duty deaths in Kansas have been categorized by officials as including ten municipal firefighter deaths and five metropolitan firefighter deaths.