

1 HB BILL NO. 109
2 INTRODUCED BY Ernest Monahan Lynch

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THAT ANY
5 GROUP HEALTH INSURANCE PLAN PROVIDED BY A CITY OR TOWN OR A
6 FIRE DEPARTMENT RELIEF ASSOCIATION THAT COVERS FIREMEN IN AN
7 INCORPORATED CITY OR TOWN ALSO PROVIDE COVERAGE FOR RETIRED
8 FIREMEN AND DEPENDENTS OF DECEASED FIREMEN; TO APPLY TO
9 FIREMEN WHO RETIRE OR DIE IN SERVICE ON OR AFTER JULY 1,
10 1978."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Group health insurance coverage to continue
14 upon death or retirement of fireman. (1) For the purposes of
15 this section, "health insurance" means insurance of human
16 beings against the medical and hospitalization expense
17 resulting from sickness or injury. It includes health
18 insurance plans issued by health service corporations.

19 (2) If an incorporated city or town or a fire
20 department relief association in an incorporated city or
21 town in this state provides group health insurance for its
22 firemen, the contract or plan must contain a provision
23 permitting:

24 (a) a fireman to remain a member of the group after he
25 retires under 11-1925 or 11-1926 and until he becomes

1 eligible for medicare under the federal Health Insurance for
2 the Aged Act, 42 U.S.C. 1395, as amended, unless he is a
3 participant in another group plan with substantially the
4 same or greater benefits at an equivalent cost or unless he
5 is employed and, by virtue of his employment, is eligible
6 for participation in another group plan with substantially
7 the same or greater benefits at an equivalent cost;

8 (b) a fireman's surviving spouse to remain a member of
9 the group after the death of the fireman before or after
10 retirement as long as such spouse is eligible for benefits
11 under 11-1927 but ineligible for medicare under the federal
12 Health Insurance for the Aged Act, unless such spouse has or
13 is eligible for equivalent coverage as provided in
14 subsection (2)(a); and

15 (c) a fireman's surviving children to remain members
16 of the group after the death of the fireman before or after
17 retirement as long as they are eligible for benefits under
18 11-1927, unless they have equivalent coverage as provided in
19 subsection (2)(a) or are eligible for such coverage by
20 virtue of the employment of their surviving parent or legal
21 guardian.

22 (3) A fireman or other person electing to remain a
23 member of the group must pay the full premium for his
24 coverage and that of his covered dependents.

25 (4) This section applies to firemen who retire or die

LC 0284/01

1 while in service on or after July 1, 1978.

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