

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS15070-LN-72 (2/10)

Short Title: State Health Plan/First Day Coverage.

(Public)

Sponsors: Senator Forrester.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE COVERAGE UNDER THE STATE HEALTH PLAN ON THE
3 FIRST DAY OF EMPLOYMENT AS A STATE EMPLOYEE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1.(a) G.S. 135-45.3 reads as rewritten:

6 "§ 135-45.3. Enrollment.

7 (a) ~~Except~~ Notwithstanding any other provision of this Article to the contrary, and
8 except as otherwise required by applicable federal law, new employees must be given the
9 opportunity to enroll or decline enrollment for themselves and their dependents on the date of
10 the new employee's employment or, at the option of the employee, within 30 days from the date
11 of employment or from first becoming eligible on a noncontributory basis. Coverage may
12 become effective on the first day of employment of the new employee. of the month following
13 date of entry on payroll or on the first day of the following month. New employees not
14 enrolling themselves and their dependents within 30 days, or not adding dependents when first
15 eligible as provided herein may enroll on the first day of any month but will be subject to a
16 12-month waiting period for preexisting health conditions, except for employees who elect to
17 change their coverage in accordance with rules established by the Executive Administrator and
18 Board of Trustees for optional or alternative plans available under the Plan. Children born to
19 covered employees having coverage type (2) or (3), as outlined in G.S. 135-45.4(d) shall be
20 automatically covered at the time of birth without any waiting period for preexisting health
21 conditions. Children born to covered employees having coverage type (1) shall be
22 automatically covered at birth without any waiting period for preexisting health conditions so
23 long as the claims processor receives notification within 30 days of the date of birth that the
24 employee desires to change from coverage (1) to coverage type (2) or (3), provided that the
25 employee pays any additional premium required by the coverage type selected retroactive to
26 the first day of the month in which the child was born.

27 (b) Newly acquired dependents (spouse/child) enrolled within 30 days of becoming an
28 eligible dependent will not be subject to the 12-month waiting period for preexisting
29 conditions. A dependent can become qualified due to marriage, adoption, entering a foster child
30 relationship, due to the divorce of a dependent child or the death of the spouse of a dependent
31 child, and at the beginning of each legislative session (applies only to enrolled legislators).
32 Effective date for newly acquired dependents if application was made within the 30 days can be
33 the first day of the following month. Effective date for an adopted child can be date of
34 adoption, or date of placement in the adoptive parents' home, or the first of the month following
35 the date of adoption or placement. Firefighters, rescue squad workers, and members of the



1 national guard, and their eligible dependents, are subject to the same terms and conditions as
2 are new employees and their dependents covered by this subdivision. Enrollments in these
3 circumstances must occur within 30 days of eligibility to enroll."

4 **SECTION 1.(b)** G.S. 135-45.4(a)(2) reads as rewritten:

5 "**§ 135-45.4. Effective dates of coverage.**

6 (a) Employees and Retired Employees. –

7 ...

8 (2) ~~New~~ Notwithstanding any other provision of this Article to the contrary, new
9 employees may apply for coverage to be effective on the first day of ~~the~~
10 ~~month following~~ employment, or on a like date the following month if the
11 employee has enrolled."

12 **SECTION 2.** This act is effective when it becomes law and applies to employees
13 first hired on and after that date.