
A BILL FOR AN ACT

RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
DEFINITION OF "DEPENDENT-BENEFICIARY".

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the Hawaii employer-
2 union health benefits trust fund offers health benefits to the
3 children of state and county employees and retirees. Due to the
4 current construction of chapter 87A, Hawaii Revised Statutes,
5 when an employee is killed in the performance of the employee's
6 duty, the employee passes away when eligible for retirement or
7 retiree passes away, the employee's or retiree's surviving
8 spouse's children that are born after the employee's or
9 retiree's death are eligible to participate in benefit plans
10 offered by the fund. However, the legislature finds that a
11 child born or legally adopted after an employee's or retiree's
12 death who is not the natural or adopted child of the deceased
13 employee or retiree should not be eligible to participate in
14 fund benefit plans because the child is not the child of the
15 state or county employee or retiree.



1 The legislature further finds that the definition of
2 "dependent-beneficiary" should be amended to be consistent with
3 the federal Patient Protection and Affordable Care Act of 2010,
4 which prohibits restricting health insurance coverage to only
5 unmarried dependents and dependents who live with the employee-
6 beneficiary, and denying health insurance coverage to married
7 dependents and dependents who do not live with the employee-
8 beneficiary.

9 The purposes of this Act are to:

- 10 (1) Amend the definition of "dependent-beneficiary"
11 contained in chapter 87A, Hawaii Revised Statutes, to
12 clarify eligibility of children for participation in
13 fund benefit plans; and
14 (2) Bring the definition of "dependent-beneficiary" into
15 conformance with the federal Patient Protection and
16 Affordable Care Act of 2010.

17 SECTION 2. Section 87A-1, Hawaii Revised Statutes, is
18 amended by amending the definition of "dependent-beneficiary" to
19 read as follows:

20 ""Dependent-beneficiary" means an employee-beneficiary's:

- 21 (1) Spouse;



- 1 (2) ~~[Unmarried child]~~ Child deemed eligible by the board,
2 including a legally adopted child, stepchild, foster
3 child, or recognized natural child ~~[who lives with the~~
4 ~~employee-beneficiary,]~~, but excluding a child born or
5 legally adopted more than ten months after the death
6 of an employee killed in the performance of duty, born
7 or legally adopted more than ten months after the
8 death of an active employee who was eligible to retire
9 on the date of death, or born or legally adopted more
10 than ten months after the date of death of a retired
11 employee-beneficiary; and
- 12 (3) Unmarried child regardless of age who is incapable of
13 self-support because of a mental or physical
14 incapacity, which existed prior to the unmarried
15 child's reaching the age of nineteen years."

16 SECTION 3. This Act does not affect the rights that
17 accrued before the effective date of this Act.

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 5. This Act shall take effect on January 1, 2050.



Report Title:

Hawaii Employer-Union Health Benefits Trust Fund; Dependent Beneficiary

Description:

Amends the definition of "dependent-beneficiary" as used in chapter 87A, Hawaii Revised Statutes. (HB2334 HD1)

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