

ACT No. 643

HOUSE BILL NO. 430

BY REPRESENTATIVE CHASSION AND SENATORS BARROW, BOUDREAUX, CARTER, EDMONDS, FESI, FOIL, HENRY, HENSGENS, JACKSON-ANDREWS, JENKINS, LUNEAU, MIGUEZ, MILLER, MIZELL, MYERS, PRICE, AND WOMACK

1 AN ACT

2 To enact R.S. 40:1665.5 and 1665.6, relative to health insurance coverage for the families
3 of law enforcement officers and firemen killed in the line of duty; to provide for
4 health insurance coverage for the families of law enforcement officers and firemen
5 employed by the City of Lafayette who are killed in the line of duty; and to provide
6 for related matters.

7 Notice of intention to introduce this Act has been published
8 as provided by Article III, Section 13 of the Constitution of
9 Louisiana.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 40:1665.5 and 1665.6 are hereby enacted to read as follows:

12 §1665.5. The City of Lafayette; health insurance coverage for surviving spouses and
13 children of firemen in certain cases

14 A. The employer of a fireman employed by the City of Lafayette who suffers
15 death as a result of any injury arising out of and in the course of the performance of
16 his official duties as a fireman, or arising out of any activity while on or off duty in
17 his capacity as a fireman in the protection of life or property, shall provide and pay
18 for health insurance coverage for the fireman's surviving spouse until the surviving
19 spouse reaches Medicare eligibility.

20 B.(1) The employer of a fireman employed by the City of Lafayette who
21 suffers death as a result of any injury arising out of and in the course of the
22 performance of his official duties as a fireman, or arising out of any activity while
23 on or off duty in his capacity as a fireman in the protection of life or property, shall

1 provide and pay for health insurance coverage for the fireman's child, stepchild, or
 2 adopted child who is any of the following:

3 (a) Under the age of twenty-six.

4 (b) Physically or mentally disabled.

5 (2) The employer shall provide and pay for the health insurance required by
 6 this Subsection following the death of the fireman until the child no longer meets the
 7 qualifications provided pursuant to Paragraph (1) of this Subsection.

8 C. If health insurance coverage is offered by the employer to active
 9 members, the health insurance provided to a surviving spouse or child pursuant to
 10 this Section shall be equal in coverage to that offered to active members.

11 D.(1) The surviving spouse may decline the health insurance coverage
 12 required by Subsection A of this Section.

13 (2) The surviving parent or legal guardian of each child, stepchild, or
 14 adopted child of the deceased fireman may decline the health insurance coverage
 15 required by Subsection B of this Section for the child.

16 E. Notwithstanding any provision of law to the contrary, the provisions of
 17 this Section shall be applied retroactively to January 1, 2017, for the payment of
 18 health insurance benefits for the surviving spouse and the children, stepchildren, and
 19 adopted children of any firemen who suffered death as a result of any injury arising
 20 out of and in the course of the performance of his official duties as a fireman, or
 21 arising out of any activity while on or off duty in his capacity as a fireman in the
 22 protection of life or property.

23 §1665.6. The City of Lafayette; health insurance coverage for surviving spouses and
 24 children of law enforcement officers in certain cases

25 A. The employer of a law enforcement officer employed by the City of
 26 Lafayette who suffers death as a result of any injury arising out of and in the course
 27 of the performance of his official duties as a law enforcement officer, or arising out
 28 of any activity while on or off duty in his capacity as a law enforcement officer in
 29 the protection of life or property, shall provide and pay for health insurance coverage

1 for the law enforcement officer's surviving spouse until the surviving spouse reaches
2 Medicare eligibility.

3 B.(1) The employer of a law enforcement officer employed by the City of
4 Lafayette who suffers death as a result of any injury arising out of and in the course
5 of the performance of his official duties as a law enforcement officer, or arising out
6 of any activity while on or off duty in his capacity as a law enforcement officer in
7 the protection of life or property, shall provide and pay for health insurance coverage
8 for the law enforcement officer's child, stepchild, or adopted child who is any of the
9 following:

10 (a) Under the age of twenty-six.

11 (b) Physically or mentally disabled.

12 (2) The employer shall provide and pay for the health insurance required by
13 this Subsection following the death of the law enforcement officer until the child no
14 longer meets the qualifications pursuant to Paragraph (1) of this Subsection.

15 C. If health insurance coverage is offered by the employer to active
16 members, the health insurance provided to a surviving spouse or child pursuant to
17 this Section shall be equal in coverage to that offered to active members.

18 D.(1) The surviving spouse may decline the health insurance coverage
19 required by Subsection A of this Section.

20 (2) The surviving parent or legal guardian of each child, stepchild, or
21 adopted child of the deceased law enforcement officer may decline the health
22 insurance coverage required by Subsection B of this Section for the child.

23 E. Notwithstanding any provision of law to the contrary, the provisions of
24 this Section shall be applied retroactively to January 1, 2017, for the payment of
25 health insurance benefits for the surviving spouse and the children, stepchildren, and
26 adopted children of any law enforcement officer who suffered death as a result of
27 any injury arising out of and in the course of the performance of his official duties
28 as a law enforcement officer, or arising out of any activity while on or off duty in his
29 capacity as a law enforcement officer in the protection of life or property.

1 Section 2. R.S. 40:1665.5 and 1665.6 as enacted by Section 1 of this Act shall be
2 known and may be cited as the "MJ 911 Act" in memory of officers lost in the line of duty.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____