

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2842

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 20, 2000

Received; read twice and referred to the Committee on Governmental Affairs

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## AN ACT

To amend chapter 89 of title 5, United States Code, concerning the Federal Employees Health Benefits (FEHB) Program, to enable the Federal Government to enroll an employee and his or her family in the FEHB Program when a State court orders the employee to provide health insurance coverage for a child of the employee

but the employee fails to provide the coverage, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Federal Employees  
5 Health Benefits Children’s Equity Act of 2000”.

6 **SEC. 2. HEALTH INSURANCE COVERAGE FOR CHILDREN.**

7        Section 8905 of title 5, United States Code, is  
8 amended by adding at the end the following:

9        “(h)(1) An unenrolled employee who is required by  
10 a court or administrative order to provide health insurance  
11 coverage for a child who meets the requirements of section  
12 8901(5) may enroll for self and family coverage in a health  
13 benefits plan under this chapter. If such employee fails  
14 to enroll for self and family coverage in a health benefits  
15 plan that provides full benefits and services in the location  
16 in which the child resides, and the employee does not pro-  
17 vide documentation showing that such coverage has been  
18 provided through other health insurance, the employing  
19 agency shall enroll the employee in a self and family en-  
20 rollment in the option which provides the lower level of  
21 coverage under the Service Benefit Plan.

22        “(2) An employee who is enrolled as an individual in  
23 a health benefits plan under this chapter and who is re-  
24 quired by a court or administrative order to provide health

1 insurance coverage for a child who meets the requirements  
2 of section 8901(5) may change to a self and family enroll-  
3 ment in the same or another health benefits plan under  
4 this chapter. If such employee fails to change to a self  
5 and family enrollment and the employee does not provide  
6 documentation showing that such coverage has been pro-  
7 vided through other health insurance, the employing agen-  
8 cy shall change the enrollment of the employee to a self  
9 and family enrollment in the plan in which the employee  
10 is enrolled if that plan provides full benefits and services  
11 in the location where the child resides. If the plan in which  
12 the employee is enrolled does not provide full benefits and  
13 services in the location in which the child resides, or, if  
14 the employee fails to change to a self and family enroll-  
15 ment in a plan that provides full benefits and services in  
16 the location where the child resides, the employing agency  
17 shall change the coverage of the employee to a self and  
18 family enrollment in the option which provides the lower  
19 level of coverage under the Service Benefits Plan.

20       “(3) The employee may not discontinue the self and  
21 family enrollment in a plan that provides full benefits and  
22 services in the location in which the child resides for so  
23 long as the court or administrative order remains in effect  
24 and the child continues to meet the requirements of sec-  
25 tion 8901(5), unless the employee provides documentation

1 showing that such coverage has been provided through  
2 other health insurance.”.

3 **SEC. 3. ANNUITY SUPPLEMENT.**

4 (a) IN GENERAL.—Section 8421a(b) of title 5,  
5 United States Code, is amended by adding at the end the  
6 following:

7 “(5) Notwithstanding paragraphs (1) through  
8 (4), the reduction required by subsection (a) shall be  
9 effective with respect to the annuity supplement pay-  
10 able for each month in the 12-month period begin-  
11 ning on the first day of the seventh month after the  
12 end of the calendar year in which the excess earn-  
13 ings were earned.”.

14 (b) EFFECTIVE DATE.—The amendment made by  
15 subsection (a) shall apply with respect to reductions re-  
16 quired to be made in calendar years beginning after the  
17 date of the enactment of this Act.

Passed the House of Representatives September 19,  
2000.

Attest:

JEFF TRANDAHL,

*Clerk.*