

Union Calendar No. 446

106TH CONGRESS
2^D SESSION

H. R. 2842

[Report No. 106-779]

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.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 1999

Mr. CUMMINGS (for himself, Ms. NORTON, and Mrs. MORELLA) introduced the following bill; which was referred to the Committee on Government Reform

JULY 24, 2000

Additional sponsors: Mr. ALLEN, Mr. BERMAN, Ms. MCKINNEY, Mr. LAFALCE, Mr. ROTHMAN, Mr. STARK, Mr. OWENS, and Mr. FROST

JULY 24, 2000

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on September 13, 1999]

A BILL

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.

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 amended*
8 *by adding at the end the following:*

9 “(h)(1) *An unenrolled employee who is required by a*
10 *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 to*
14 *enroll for self and family coverage in a health benefits plan*
15 *that provides full benefits and services in the location in*
16 *which the child resides, and the employee does not provide*
17 *documentation showing that such coverage has been pro-*
18 *vided through other health insurance, the employing agency*
19 *shall enroll the employee in a self and family enrollment*
20 *in the option which provides the lower level of coverage*
21 *under the Service Benefit Plan.*

1 “(2) An employee who is enrolled as an individual in
2 a health benefits plan under this chapter and who is re-
3 quired by a court or administrative order to provide health
4 insurance coverage for a child who meets the requirements
5 of section 8901(5) may change to a self and family enroll-
6 ment in the same or another health benefits plan under this
7 chapter. If such employee fails to change to a self and fam-
8 ily enrollment and the employee does not provide docu-
9 mentation showing that such coverage has been provided
10 through other health insurance, the employing agency shall
11 change the enrollment of the employee to a self and family
12 enrollment in the plan in which the employee is enrolled
13 if that plan provides full benefits and services in the loca-
14 tion where the child resides. If the plan in which the em-
15 ployee is enrolled does not provide full benefits and services
16 in the location in which the child resides, or, if the employee
17 fails to change to a self and family enrollment in a plan
18 that provides full benefits and services in the location where
19 the child resides, the employing agency shall change the cov-
20 erage of the employee to a self and family enrollment in
21 the option which provides the lower level of coverage under
22 the Service Benefits Plan.

23 “(3) The employee may not discontinue the self and
24 family enrollment in a plan that provides full benefits and
25 services in the location in which the child resides for so long

1 *as the court or administrative order remains in effect and*
2 *the child continues to meet the requirements of section*
3 *8901(5), unless the employee provides documentation show-*
4 *ing that such coverage has been provided through other*
5 *health insurance.”.*

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

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

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

16 *(b) EFFECTIVE DATE.—The amendment made by sub-*
17 *section (a) shall apply with respect to reductions required*
18 *to be made in calendar years beginning after the date of*
19 *enactment of this Act.*

Amend the title so as to read: “A bill 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.”.

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