



SPONSOR: Rep. Hensley & Sen. Lopez
Reps. Gray, Ramone, Michael Smith; Sens. Ennis,
Pettyjohn, Wilson

HOUSE OF REPRESENTATIVES
151st GENERAL ASSEMBLY

HOUSE BILL NO. 248

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO EQUITABLE REIMBURSEMENT OF CERTAIN PENSIONERS' SPOUSAL HEALTHCARE EXPENSES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 5202, Title 29 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 5202. Payment of premium, ~~or subscription charge,~~ or equitable reimbursement of spousal healthcare expenses.

4 (h) A survivor who is receiving a deceased pensioner's retirement benefits in accordance with the State
5 Employees' Pension Plan under Chapters 53 and 55 of this title, the State Police Pension Plan under subchapter II and
6 subchapter III of Chapter 83 of Title 11, the Pension Plan for State Judiciary under Chapter 56 of this title shall only be
7 entitled to coverage for the survivor and any "eligible child dependent" as defined in § 5201 of this title.

8 (i) For eligible pensioners who are eligible for federal Medicare and their spouses who are also eligible for federal
9 Medicare and who are required to enroll in their former employer's coverage, the State of Delaware will reimburse
10 expenses incurred by the spouse and not fully covered by Medicare and their former employer's coverage, the same as
11 those expenses paid for spouses covered by the State's coverage up to 100% of the incurred expenses after crediting all
12 payments from Medicare and the spouse's former employer's coverage.

SYNOPSIS

This Act requires the State to reimburse healthcare expenses incurred by eligible pensioner spouses on Medicare who are required to enroll in their former employer's healthcare coverage and their former employer's coverage pays less than the State's coverage would pay. This creates fair and equal benefit coverage for all spouses of eligible pensioner's whether they have former employer coverage or not.