WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1982

ENROLLED
Committee Substitute for
HOUSE BILL No. 1625

(By Mr. Bumgarner & Mr. Wilcox)

Passed March 13, 1982

In Effect from Passage
AN ACT to amend and reenact section twelve, article sixteen, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the West Virginia public employees insurance act; deleting provision that employees agree to pay the cost of coverage for spouses and dependents; providing for three-month continuation of insurance coverage subsequent to date of employee's involuntary or reduction in work force termination at no additional cost to employees; limitations in case of discharge for misconduct; and providing for reemployment or recall to active employment within twelve months of termination to not be deemed new employment for again requiring employee's contributive share of premium cost, where such share had earlier been once paid.

Be it enacted by the Legislature of West Virginia:

That section twelve, article sixteen, chapter five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:
ARTICLE 16. WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT.

§5-16-12. Payment of cost by employer and employee; coverage for employee's spouse and dependents generally; short term continuance of coverage for involuntary employee termination.

The board is hereby authorized to provide under any contract or contracts entered into under the provisions of this article that the costs of any such group hospital and surgical insurance, group major medical insurance, group life and accidental death insurance benefit plan or plans may be paid by the employer and employee. In addition, each employee shall be entitled to have his spouse and dependents, as defined by the rules and regulations of the board, included in any group hospital and surgical insurance or group major medical insurance coverage provided. The board shall adopt rules and regulations according to chapter twenty-nine-a of this code governing the discontinuance and resumption of any employee's coverage for his spouse and dependents.

Should a participating employee be terminated from employment involuntarily or in reduction of work force, the employee's insurance coverage provided under this article shall continue for a period of three months at no additional cost to the employee: Provided, That an employee discharged for misconduct shall not be eligible for extended benefits under this section: Provided, however, That coverage may be extended up to the maximum period of three months, while administrative remedies contesting the charge of misconduct are pursued: Provided further, That should the discharge for misconduct be upheld, the full cost of the extended coverage shall be reimbursed by the employee. If the employee is again employed or recalled to active employment within twelve months of his prior termination, he shall not be considered a new enrollee and shall not be required to again contribute his share of the premium cost, if he had already fully contributed such share during the prior period of employment.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

R. P. Blevins
Chairman Senate Committee

Tony E. Whitlow
Chairman House Committee

Originating in the House.

Takes effect from passage.

Jane A. Nichols
Clerk of the Senate

WA Blankenship
Clerk of the House of Delegates

Warren R. McMorran
President of the Senate

Speaker House of Delegates

The within is approved this the 30

day of March, 1982.

John D. Dalton
Governor