

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 479

Short Title: Extended Group Coverage/Employee Deceased. (Public)

Sponsors: Representatives Ball, A. Baker, and Autry (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

April 5, 2021

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE CONTINUATION OF A GROUP HEALTH INSURANCE
POLICY OF A WIDOWED SPOUSE OR SURVIVING DEPENDENT FOR THIRTY-SIX
MONTHS AFTER THE DATE THE COVERED EMPLOYEE HAS DECEASED.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 58-53-35 reads as rewritten:

"§ 58-53-35. **Termination of continuation.**

(a) Continuation of insurance under the group policy for any person shall terminate on
the earliest of the following dates:

(1) The date 18 months after the date the employee's or member's insurance under
the policy would otherwise have terminated because of termination of
employment or ~~members;~~members for reasons other than death of the
employee.

(1a) The date 36 months after the date the employee's or member's insurance under
the policy would have otherwise terminated because of death of the employee.

(2) The date ending the period for which the employee or member last makes ~~his~~
the required contribution, if ~~he—the member~~ discontinues his
~~contributions;~~making contributions.

(3) The date the employee or member becomes or is eligible to become covered
for similar benefits under any arrangement of coverage for individuals in a
group, whether insured or ~~uninsured;~~uninsured.

(4) The date on which the group policy is terminated or, in the case of a multiple
employer plan, the date ~~his—the member's~~ employer terminates participation
under the group master policy. When this occurs the employee or member
shall have the privilege described in G.S. 58-53-45 if the date of termination
precedes that on which ~~his—the member's~~ actual continuation of insurance
under that policy would have terminated. The insurer that insured the group
before the date of termination shall make a converted policy available to the
employee or member.

(b) Notwithstanding subdivision (a)(4) of this section, if the employer replaces the group
policy with another group policy, the employee is entitled to continue under the successor group
policy for any unexpired period of continuation to which the employee is entitled."

SECTION 2. This act becomes effective October 1, 2021, and applies to group
policies in effect on and after that date.



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