
A BILL FOR AN ACT

RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST
FUND.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the Hawaii employer-
2 union health benefits trust fund offers health benefits to the
3 children of state and county employees and retirees. Due to the
4 current construction of chapter 87A, Hawaii Revised Statutes,
5 when an employee or retiree passes away, the employee's or
6 retiree's surviving spouse's children that are born after the
7 employee's or retiree's death are eligible to participate in
8 benefits plans offered by the fund. However, the legislature
9 finds that a child born or legally adopted after an employee's
10 or retiree's death who is not the natural child of the deceased
11 employee or retiree should not be eligible to participate in
12 fund benefits plans because the child is not the child of the
13 state or county employee or retiree.

14 The legislature further finds that the definition of
15 "dependent-beneficiary" should be amended to be consistent with
16 the federal Patient Protection and Affordable Care Act of 2010,
17 which prohibits restricting health insurance coverage to only



1 unmarried dependents and denying health insurance coverage to
2 married dependents.

3 The purpose of this Act is to amend the definition of
4 "dependent-beneficiary" contained in chapter 87A, Hawaii Revised
5 Statutes, to clarify eligibility of children for participation
6 in fund benefit plans and to bring the definition of "dependent-
7 beneficiary" into conformance with the federal Patient
8 Protection and Affordable Care Act of 2010.

9 SECTION 2. Section 87A-1, Hawaii Revised Statutes, is
10 amended by amending the definition of "dependent-beneficiary" to
11 read as follows:

12 "Dependent-beneficiary" means an employee-beneficiary's:

13 (1) Spouse;

14 (2) ~~[Unmarried child]~~ Child deemed eligible by the board,
15 including a legally adopted child, stepchild, foster
16 child, or recognized natural child who lives with the
17 employee-beneficiary[+], but excluding a child born or
18 legally adopted more than ten months after the death
19 of an employee killed in the performance of duty, born
20 or legally adopted more than ten months after the
21 death of an active employee who was eligible to retire



1 on the date of death, or born or legally adopted more
2 than ten months after the date of death of a retired
3 employee-beneficiary; and

4 (3) Unmarried child regardless of age who is incapable of
5 self-support because of a mental or physical
6 incapacity, which existed prior to the unmarried
7 child's reaching the age of nineteen years."

8 SECTION 3. This Act does not affect the rights that
9 accrued before the effective date of this Act.

10 SECTION 4. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 5. This Act shall take effect on July 1, 2016.

13



Report Title:

Hawaii Employer-union Health Benefits Trust Fund; Dependent-beneficiary

Description:

Amends the definition of "dependent-beneficiary" as used in chapter 87A, HRS. (SD1)

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