

- SUBJECT:** Health benefits for veterans upon state re-employment
- COMMITTEE:** Defense and Veterans' Affairs — favorable, without amendment
- VOTE:** 7 ayes — S. King, Frank, Aycock, Blanco, Farias, Schaefer, Shaheen
0 nays
- WITNESSES:** For — (*Registered, but did not testify*: Melinda Smith, CLEAT, the Combined Law Enforcement Associations of Texas; Ray Lindner, National Guard Association of Texas; Dwight Harris, Texas American Federation of Teachers; Jim Brennan, Texas Coalition of Veterans Organizations; Harrison Hiner, Texas State Employees Union)

Against — None

On — Perry Jefferies, Texas A&M Health Science Center; (*Registered, but did not testify*: Duane Waddill, Texas Military Department)
- BACKGROUND:** Military service is defined under Government Code, sec. 613.001 to mean service as a member of the Armed Forces of the United States, the Texas National Guard, the Texas State Guard, or a reserve component of the Armed Forces of the United States.

Under Government Code, secs. 613.002 - 613.003, an individual who leaves state employment for active military service and who returns within five years of induction, enlistment, or call to active duty is entitled under certain circumstances to re-employment into the same or a similar position.

Under Insurance Code, sec. 1551.1055, eligibility of state agency employees for the group benefits program begins no later than the 90th day after the employee begins working for the state agency. Under sec. 1601.1045, eligibility of certain university system employees for the uniform benefits program begins the first day of the calendar month after the 90th day the employee performs services for a system.

DIGEST: Under HB 437, an individual re-entering employment with a state agency after military service would be eligible on the first day of reemployment for health insurance coverage under the Texas Employees Group Benefits Act. An individual re-entering employment within certain state university systems following military service also would be eligible for health benefits on the first day of reemployment under the State University Employees Uniform Insurance Benefits Act.

The bill would take effect September 1, 2015.

SUPPORTERS SAY: HB 437 would close a statutory loophole that could delay veterans from receiving benefits immediately upon their return to employment from military service.

Military deployments to the border and to overseas locations are becoming more frequent, and current law is ambiguous about when individuals returning from military service would be eligible for state insurance benefits. When state and university system employees are deployed, they no longer receive state health coverage. This bill would clarify that health insurance benefits for state and university system employees returning from military service would be restored immediately upon re-employment.

Because the bill would affect only a small, though important, group of people, it would have no significant fiscal impact to the state. The insurance providers already would have the veterans' information on file, so making benefits immediately available would be relatively simple.

Certain service members not deployed by the federal government do not receive federal benefits, and this bill would ensure that these individuals and their families did not fall into a coverage gap. In addition, relying on the federal government to continue providing benefits to those deployed by the federal government would be a risk because federal laws may change.

HB 437 would be a proactive measure to ensure the people who protect the state and the nation did not experience a delay in receiving health care when they returned to employment with the state of Texas.

OPPONENTS
SAY:

HB 437 would not be needed for certain military service members deployed by the federal government who receive health benefits under a federal plan for up to 180 days after their service ends. In addition, the state waiting period for benefits eligibility was established as a cost-saving measure, and any exception would be inconsistent with that goal.