

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021**

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**SENATE BILL 516**

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

Sponsors: Senators Chaudhuri and Crawford (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 6, 2021

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

5 The General Assembly of North Carolina enacts:

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

7 "**§ 58-53-35. Termination of continuation.**

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

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

14 (1a) The date 36 months after the date the employee's or member's insurance under  
15 the policy would have otherwise terminated because of death of the employee.

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

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

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

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

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

