

(H. B. 16)

**(No. 127)**

(Approved October 19, 2009)

## **AN ACT**

To amend paragraph (b) of Section 3 of Article VI of Act No. 72 of September 7, 1993, as amended, in order to require that the dependents of a member of the Puerto Rico Police who dies under any circumstance submit a written notification accepting or declining the benefit of the Government Health Insurance Plan.

### **STATEMENT OF MOTIVES**

The job of the Puerto Rico Police is vital for the protection of the lives and property of our citizens. While carrying out their duties, police officers risk losing their lives and leaving their loved ones unprotected. We are aware of the situation of police officers who, year after year, have fallen in the line of duty.

Police officers put their lives at risk every day while carrying out their duties and traveling to work in places that are far from their homes. Our commitment as legislators is to provide better working conditions and additional benefits to members of the Puerto Rico Police.

The death of a member of the Puerto Rico Police considerably affects family members who suddenly find themselves without their main source of income. We believe it is fair and reasonable to pass laws that provide protection to family members of deceased police officers, regardless of their cause of death.

Section 3 of Article VI of Act No. 72 of September 7, 1993, as amended, provides members of the Puerto Rico Police, as well as their spouses and children, with the benefit of the Health Insurance Plan of the Government of Puerto Rico. This Act also establishes that such benefit shall remain in force in the event of the

police officer's death, regardless of the cause, as long as the surviving spouse does not remarry and the children are under twenty-one (21) years of age, or twenty-five (25) years of age in the case of those pursuing post-secondary education.

Police officers, the groups that represent them, and even the Puerto Rico Police itself, are mostly unaware of this right. The purpose of this bill is to require that, in the event of a police officer's death, the surviving spouse and underage dependents be notified of their right to continue enjoying the coverage of the Government Health Insurance Plan, and that they must accept or decline such continued coverage in writing. This way, we reciprocate and do justice to the bravery and service of those who protect our lives and property. At the same time, we ensure that this right, which is granted by law, can be exercised by the people for whom it was intended.

The Healthcare Reform is a means for the greatest number of people to have direct access to high-quality health services. Health is a People's right, not a privilege. It is the government's responsibility to provide the best healthcare services, as well as equal access opportunities, to all citizens.

***BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:***

Section 1. – Paragraph (b) of Section 3 of Article VI of Act No. 72 of September 7, 1993, as amended, is hereby amended to read as follows:

“(a) ...

(b) Members of the Puerto Rico Police, as well as their spouses and children, pursuant to the provisions of Act No. 53 of June 10, 1996, as amended.

When a member of the Puerto Rico Police dies under any circumstance, this benefit shall remain in force for the surviving spouse, as long as the spouse does not remarry, and the children are younger than twenty-one (21) years of age, or for those who are undertaking post-secondary studies, until they are twenty-five (25)

years of age. The Puerto Rico Police shall consign the funds in its budget of expenses to continue providing the health insurance plan to these beneficiaries by means of a contribution equal to the health benefit contribution received by the member of the Police force from his/her employer at the moment of his/her death.

In the event that the member of the Puerto Rico Police dies, the agency shall notify the surviving spouse and/or underage children about their right to continue enjoying the coverage of the Government Health Insurance Plan, and they must accept or decline such continued coverage in writing.

(b) (1). – Such beneficiaries shall have a term of ninety (90) days to notify whether they accept or decline the benefit and, within said ninety (90)-day term, no changes in health benefits may be made unless the notice is answered before the term expires.

(b) (2). – The Puerto Rico Police shall notify any changes in the health benefits of dependents of a police officer fallen in the line of duty to the Department of Health. It is provided that the Medical Assistance Program (Medicaid) shall notify the dependent(s) of the deceased police officer of the rights they are entitled to under this Act.”

Section 2. – This Act shall take effect immediately after its approval.

## CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 127 (H. B. 16)** of the **2nd Session of the 16<sup>th</sup> Legislature** of Puerto Rico:

**AN ACT** to amend paragraph (b) of Section 3 of Article VI of Act No. 72 of September 7, 1993, as amended, in order to require that the dependents of a member of the Puerto Rico Police who dies under any circumstance submit a written notification accepting or declining the benefit of the Government Health Insurance Plan.

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, on the 1<sup>st</sup> day of September, 2011.

María del Mar Ortiz Rivera, Esq.  
Director