

**Article - State Personnel and Pensions**

2-507.

(b) The surviving spouse of a State employee who died while employed by the State may enroll and participate in the health insurance benefit options established under the Program as long as the surviving spouse:

(1) is receiving an allowance under Title 29, Subtitle 2 of this article; OR

(2) IS THE SOLE PRIMARY DESIGNATED BENEFICIARY AND RECEIVING A PERIODIC DISTRIBUTION OF BENEFITS UNDER AN OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE.

2-509.

(a) (1) An individual may enroll and participate in the health insurance benefit options established under the Program if the individual[:

(1)] retired under an optional Program under Title 30 of this article[;] and:

(I) ENDED SERVICE WITH A STATE INSTITUTION OF HIGHER EDUCATION WITH AT LEAST 10 YEARS OF ~~CREDITABLE~~ SERVICE AND WAS AT LEAST AGE 57;

(II) ENDED SERVICE WITH A STATE INSTITUTION OF HIGHER EDUCATION WITH AT LEAST 16 YEARS OF ~~CREDITABLE~~ SERVICE; OR

(III) RETIRED DIRECTLY FROM AND HAD AT LEAST 5 YEARS OF SERVICE WITH A STATE INSTITUTION OF HIGHER EDUCATION WITH A PERIODIC DISTRIBUTION OF BENEFITS ON OR AFTER JULY 1, 1984.

(2) [was in service with a State institution of higher education at the time of the retirement.] THE SURVIVING SPOUSE OR DEPENDENT CHILD OF A DECEASED INDIVIDUAL WHO WAS ELIGIBLE TO ENROLL MAY ENROLL AND PARTICIPATE IN THE HEALTH INSURANCE BENEFIT OPTIONS ESTABLISHED UNDER THE PROGRAM AS LONG AS THE SPOUSE OR CHILD IS RECEIVING A PERIODIC DISTRIBUTION OF BENEFITS UNDER AN OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE.

(b) (1) An enrollee under this section WHO WAS IN SERVICE WITH A STATE INSTITUTION OF HIGHER EDUCATION AT THE TIME OF THE RETIREMENT is entitled to the same State subsidy allowed a retiree under § 2-508 of this subtitle. However, except as provided in paragraph (2) of this subsection, the subsidy shall apply only to the costs of coverage for the enrollee and may not apply to any additional costs of coverage for the enrollee's spouse or children.

(2) If the enrollee has 25 or more years of service as an employee of the State in the Executive, Legislative, or Judicial Branch of government, the enrollee or the enrollee's surviving spouse or dependent child is entitled to the same State subsidy allowed a retiree with 16 or more years of creditable service under § 2-508(c)(1) of this subtitle.