

**Article - State Personnel and Pensions**

2-509.

(a) (1) [An] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN individual may enroll and participate in the health insurance benefit options established under the Program if the individual 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 service and was at least age 57;

(ii) ended service with a State institution of higher education with at least 16 years of 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) (I) FOR PURPOSES OF THIS SUBSECTION ONLY, YEARS OF SERVICE SHALL BE CALCULATED AS FOLLOWS:

1. EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A YEAR OF SERVICE MEANS A PERIOD OF 12 MONTHS DURING WHICH AN EMPLOYEE WAS A PARTICIPANT IN AN OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE AND THE PARTICIPANT'S EMPLOYER MADE CONTRIBUTIONS TO THE PARTICIPANT'S ACCOUNT IN THE PROGRAM; OR

2. IF AN EMPLOYEE'S WORK YEAR IS AN ACADEMIC YEAR OF AT LEAST 9 BUT LESS THAN 12 MONTHS, A YEAR OF SERVICE MEANS A PERIOD EQUAL TO THE ACADEMIC YEAR DURING WHICH AN EMPLOYEE WAS A PARTICIPANT IN AN OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE AND THE PARTICIPANT'S EMPLOYER MADE CONTRIBUTIONS TO THE PARTICIPANT'S ACCOUNT IN THE PROGRAM.

(II) TO DETERMINE ELIGIBILITY FOR HEALTH INSURANCE BENEFITS UNDER THIS SECTION, EACH YEAR OF SERVICE SHALL BE MULTIPLIED BY THE PARTICIPANT'S PERCENTAGE OF FULL-TIME EMPLOYMENT FOR THAT YEAR OF SERVICE.

[(2)](3) 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.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

Approved April 22, 2003.