

104TH CONGRESS  
2D SESSION

# H. R. 4153

To extend health insurance and survivor annuity benefits to certain former spouses of Federal employees who would otherwise be ineligible for those benefits.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 1996

Mrs. MORELLA (for herself and Mr. JONES) introduced the following bill;  
which was referred to the Committee on Reform and Oversight

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## A BILL

To extend health insurance and survivor annuity benefits to certain former spouses of Federal employees who would otherwise be ineligible for those benefits.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENTS TO THE CIVIL SERVICE RETIRE-**  
4 **MENT SPOUSE EQUITY ACT OF 1984.**

5 (a) **ELIMINATION OF BARS TO ELIGIBILITY.**—Sec-  
6 tion 4(b) of the Civil Service Retirement Spouse Equity  
7 Act of 1984 (5 U.S.C. 8341 note) is amended—

8 (1) in paragraph (1)(B)(i), by striking “after  
9 September 14, 1978, and”; and

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1 (2) by striking paragraph (4).

2 (b) NEW DEADLINE FOR APPLICATIONS.—

3 (1) IN GENERAL.—Section 4(b)(1)(B)(iv) of the  
4 Civil Service Retirement Spouse Equity Act of 1984  
5 is amended by striking “May 7, 1989” and inserting  
6 “May 7, 1997”.

7 (2) AUTHORITY TO WAIVE DEADLINE.—Section  
8 4(b) of the Civil Service Retirement Spouse Equity  
9 Act of 1984 is amended by adding at the end the  
10 following:

11 “(6)(A) The Director of the Office of Personnel Man-  
12 agement may waive the deadline under paragraph  
13 (1)(B)(iv) in any case in which the Director determines  
14 that the circumstances so warrant.

15 “(B) In making a determination under this para-  
16 graph, one of the factors which may be taken into account  
17 is whether the individual involved has previously submitted  
18 a timely application under this section—

19 “(i) which was denied; but

20 “(ii) which, based on criteria applied under this  
21 section pursuant to changes in law subsequent to the  
22 denial, would have been approved.”.

23 **SEC. 2. HEALTH BENEFITS.**

24 Any individual who, under the provisions of section  
25 4(b) of the the Civil Service Retirement Spouse Equity

1 Act of 1984 (as amended by section 1), is entitled to a  
2 survivor annuity described in such provisions may, within  
3 12 months after the date on which such individual first  
4 becomes so entitled (or the date of the enactment of this  
5 Act, if later), and if such individual meets the definition  
6 of a former spouse under section 8901(10) of title 5, Unit-  
7 ed States Code (determined without regard to subpara-  
8 graph (C) thereof), enroll in an approved health benefits  
9 plan described in section 8903 of such title, under the con-  
10 ditions set forth in section 8905(c) of such title (excluding  
11 subparagraphs (A) and (B) of paragraph (1) of such sec-  
12 tion 8905(c)).

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