

Public Law 106-394  
106th Congress

An Act

To amend chapter 89 of title 5, United States Code, concerning the Federal Employees Health Benefits (FEHB) Program, to enable the Federal Government to enroll an employee and his or her family in the FEHB Program when a State court orders the employee to provide health insurance coverage for a child of the employee but the employee fails to provide the coverage, and for other purposes.

Oct. 30, 2000

[H.R. 2842]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Federal Employees Health Benefits Children’s Equity Act of 2000”.

Federal  
Employees  
Health Benefits  
Children’s Equity  
Act of 2000.  
5 USC 8901 note.

**SEC. 2. HEALTH INSURANCE COVERAGE FOR CHILDREN.**

Section 8905 of title 5, United States Code, is amended by adding at the end the following:

“(h)(1) An unenrolled employee who is required by a court or administrative order to provide health insurance coverage for a child who meets the requirements of section 8901(5) may enroll for self and family coverage in a health benefits plan under this chapter. If such employee fails to enroll for self and family coverage in a health benefits plan that provides full benefits and services in the location in which the child resides, and the employee does not provide documentation showing that such coverage has been provided through other health insurance, the employing agency shall enroll the employee in a self and family enrollment in the option which provides the lower level of coverage under the Service Benefit Plan.

“(2) An employee who is enrolled as an individual in a health benefits plan under this chapter and who is required by a court or administrative order to provide health insurance coverage for a child who meets the requirements of section 8901(5) may change to a self and family enrollment in the same or another health benefits plan under this chapter. If such employee fails to change to a self and family enrollment and the employee does not provide documentation showing that such coverage has been provided through other health insurance, the employing agency shall change the enrollment of the employee to a self and family enrollment in the plan in which the employee is enrolled if that plan provides full benefits and services in the location where the child resides. If the plan in which the employee is enrolled does not provide full benefits and services in the location in which the child resides, or, if the employee fails to change to a self and family enrollment in a plan that provides full benefits and services in the location where the child resides, the employing agency shall change the

coverage of the employee to a self and family enrollment in the option which provides the lower level of coverage under the Service Benefits Plan.

“(3) The employee may not discontinue the self and family enrollment in a plan that provides full benefits and services in the location in which the child resides for so long as the court or administrative order remains in effect and the child continues to meet the requirements of section 8901(5), unless the employee provides documentation showing that such coverage has been provided through other health insurance.”

### SEC. 3. ANNUITY SUPPLEMENT.

(a) **IN GENERAL.**—Section 8421a(b) of title 5, United States Code, is amended by adding at the end the following:

“(5) Notwithstanding paragraphs (1) through (4), the reduction required by subsection (a) shall be effective with respect to the annuity supplement payable for each month in the 12-month period beginning on the first day of the seventh month after the end of the calendar year in which the excess earnings were earned.”

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to reductions required to be made in calendar years beginning after the date of the enactment of this Act.

Applicability.  
5 USC 8421a  
note.

Approved October 30, 2000.

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#### LEGISLATIVE HISTORY—H.R. 2842 (S. 1688):

HOUSE REPORTS: No. 106-779 (Comm. on Government Reform).

SENATE REPORTS: No. 106-492 accompanying S. 1688 (Comm. on Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Sept. 19, considered and passed House.

Oct. 13, considered and passed Senate.