

ORDINANCE NO. 2016-17

**AN ORDINANCE TO SET FORTH THE AMOUNT OF HEALTH
INSURANCE BENEFITS PAID BY THE COUNTY OF FLOYD ON BEHALF
OF THE SURVIVING SPOUSE AND CHILDREN OF FLOYD COUNTY
POLICE OFFICERS WHO DIE IN THE LINE OF DUTY**

WHEREAS, Indiana state statute I.C. 36-8-10-16.5 governs benefits paid to the surviving spouse and natural children, step-children, and adopted children (collectively "Children") of police officers that die in the line of duty; and

WHEREAS, pursuant to I.C. 36-8-10-16.5, the County shall offer to provide and pay for health insurance for the surviving spouse and Children of county police officers that die in the line of duty; and

WHEREAS, a surviving spouse of a county police officer that dies in the line of duty is entitled to receive, inter alia, health insurance benefits provided by the County for the duration of his/her life; and

WHEREAS, the Children of a county police officer that dies in the line of duty are entitled to receive, inter alia, health insurance benefits provided by the county until the child turns eighteen (18) years old; or until the child turns twenty-three (23) years old if the child is enrolled in and regularly attending a secondary school or is a full-time student at an accredited college or university; or if the child is mentally or physically disabled, during the entire period of the child's physical or mental disability; and

WHEREAS, the language of I.C. 36-8-10-16.5(c) mandates that the County "offer to provide and pay for health insurance coverage" for the surviving spouse and children, the statute does not clarify if the entire health insurance premium for the surviving spouse and children is to be paid by the county, or if the county is to pay only that percentage of the health insurance premium it pays for active county police officers; and

WHEREAS, the Floyd County Commissioners believe that the county should pay the entire health insurance premium for the surviving spouse and children of county police officers who die in the line of duty, in recognition and appreciation of the sacrifice made by such police officers.

WHEREAS, pursuant to the Affordable Care Act, federal law requires plans and issuers that offer dependent child coverage to make the coverage available until the adult child reaches the age of 26

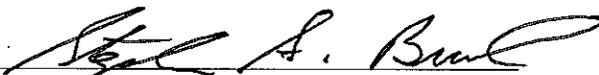
NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF FLOYD COUNTY, INDIANA, THAT:

Section 1. Floyd County shall offer to provide and shall pay the entire monthly health insurance premiums for all eligible surviving spouses and children, as defined by I.C. 36-8-10-16.5 as amended, and to age 26 for dependents pursuant to the Affordable Care Act of members of the dependent's pension benefit program who die in the line of duty. However, such payment shall be made for those surviving spouses and children who elect to participate in the County's health insurance plan. The offer to provide and pay for health insurance coverage shall remain open for as long as there is a surviving spouse or as long as a natural child, stepchild or adopted child of the member is eligible for coverage.

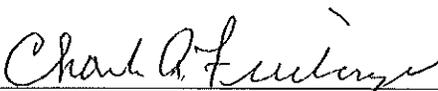
Section 2. The effective date of this Ordinance shall be the _____ day of September, 2016.

ORDAINED this 16th day of August, 2016.

BOARD OF COMMISSIONERS


STEPHEN A. BUSH
PRESIDENT

MARK SEABROOK
MEMBER


CHARLES FREIBERGER,
MEMBER

ATTEST:

SCOTT CLARK,
FLOYD COUNTY AUDITOR