

116TH CONGRESS  
1ST SESSION

# S. 973

To amend title 5, United States Code, to continue supplemental dental and vision benefits and long-term care insurance coverage for Federal employees affected by a Government shutdown, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 1, 2019

Ms. SMITH introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To amend title 5, United States Code, to continue supplemental dental and vision benefits and long-term care insurance coverage for Federal employees affected by a Government shutdown, and for other purposes.

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. SHORT TITLE.**

4       This Act may be cited as the “Ensuring FEDVIP  
5       and FLTCIP Coverage During Shutdowns Act”.

1 **SEC. 2. CONTINUING SUPPLEMENTAL DENTAL AND VISION**  
2 **BENEFITS AND LONG-TERM CARE INSUR-**  
3 **ANCE COVERAGE DURING A GOVERNMENT**  
4 **SHUTDOWN.**

5 (a) IN GENERAL.—Subpart G of part III of title 5,  
6 United States Code, is amended—

7 (1) in section 8956, by adding at the end the  
8 following:

9 “(d) With respect to an employee enrolled in a dental  
10 benefits plan under this chapter who is placed in a nonpay  
11 status because of a lapse in appropriations, the coverage  
12 under the dental benefits plan shall continue during the  
13 lapse in appropriations and may not be cancelled as a re-  
14 sult of nonpayment of premiums or other periodic charges  
15 due to the lapse in appropriations.”;

16 (2) in section 8986, by adding at the end the  
17 following:

18 “(d) With respect to an employee enrolled in a vision  
19 benefits plan under this chapter who is placed in a nonpay  
20 status because of a lapse in appropriations, the coverage  
21 under the vision benefits plan shall continue during the  
22 lapse in appropriations and may not be cancelled as a re-  
23 sult of nonpayment of premiums or other periodic charges  
24 due to the lapse in appropriations.”; and

25 (3) in section 9003, by adding at the end the  
26 following:

1       “(e) EFFECT OF GOVERNMENT SHUTDOWN.—With  
 2   respect to an employee or member of the uniformed serv-  
 3   ices enrolled under a master contract for long-term care  
 4   insurance under this chapter who is placed in a nonpay  
 5   status because of a lapse in appropriations, coverage  
 6   under the master contract shall continue during the lapse  
 7   in appropriations and may not be cancelled as a result  
 8   of nonpayment of premiums or other periodic charges due  
 9   to the lapse in appropriations.”.

10       (b) REGULATIONS.—The Director of the Office of  
 11   Personnel Management shall prescribe regulations under  
 12   which premiums for supplemental dental, supplemental vi-  
 13   sion, or long-term care insurance under chapter 89A, 89B,  
 14   or 90 (respectively) of title 5, United States Code, (as  
 15   amended by subsection (a)) that are unpaid by an em-  
 16   ployee or member of the uniformed services (as the case  
 17   may be), as a result of that employee or member being  
 18   placed in a nonpay status because of a lapse in appropria-  
 19   tions, are paid to the applicable carrier from back pay  
 20   made available to the employee or member as soon as  
 21   practicable upon the end of the lapse in appropriations.

22       (c) APPLICATION.—The amendments made by sub-  
 23   section (a) shall apply to any contract for supplemental  
 24   dental, supplemental vision, or long-term care insurance  
 25   under chapter 89A, 89B, or 90 (respectively) of title 5,

- 1 United States Code, entered into before, on, or after the
- 2 date of enactment of this Act.

