

SENATE, No. 3284

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED DECEMBER 14, 2020

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator DAWN MARIE ADDIEGO

District 8 (Atlantic, Burlington and Camden)

Co-Sponsored by:

Senators Diegnan, Cryan and Turner

SYNOPSIS

Provides for accidental death benefit if death of TPAF member is caused by COVID-19.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/3/2021)

1 AN ACT concerning an accidental death benefit in the Teachers'
2 Pension and Annuity Fund and supplementing chapter 66 of Title
3 18A of the New Jersey Statutes.

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5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

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8 1. For purposes of paragraph (1) of subsection a. of
9 N.J.S.18A:66-46, a member whose death is attributable to COVID-
10 19, complications therefrom, or the aggravation or acceleration of a
11 preexisting condition caused thereby shall be deemed to have
12 occurred as the result of an accident met in the actual performance
13 of duty at some definite time and place if:

14 the member contracted COVID-19 during the public health
15 emergency in the State declared by the Governor in Executive
16 Order No. 103 of 2020 and as extended;

17 the member dies as a result of COVID-19; and

18 the member's regular or assigned duties required the member to
19 interact, and the member so interacted, with the public, other
20 employees, students, or parents, or to directly supervise other
21 personnel so interacting with the public, other employees, students,
22 or parents, on any date during the public health emergency in the
23 State declared by the Governor in Executive Order No. 103 of 2020
24 and as extended within 14 calendar days prior to the appearance of
25 symptoms consistent with COVID-19 that shall have been
26 confirmed in writing by a licensed health care provider.

27 The filing of an accident report with the Teachers' Pension and
28 Annuity Fund shall not be required for an accidental death benefit
29 allowed pursuant to this section.

30 If a member dies during the public health emergency in the State
31 declared by the Governor in Executive Order No. 103 of 2020 and
32 as extended and a beneficiary has received approvals pursuant to a
33 provision other than this section or N.J.S.18A:66-46 prior to the
34 effective date of this act, P.L. , c. (pending before the
35 Legislature as this bill), the beneficiary may apply for a benefit
36 pursuant to this section and, if approved, the prior approvals shall
37 be rescinded and the benefit pursuant to approval under this section
38 shall be made retroactive to the date of the rescinded initial
39 approvals.

40 A person approved pursuant to this section to receive a benefit
41 under N.J.S.18A:66-46 shall be entitled to receive health care
42 benefits coverage for that person and any dependents through the
43 School Employees' Health Benefits Program and the full cost of the
44 premium or periodic charges for such coverage shall be paid by the
45 State for five years following the date of enrollment in the program.

46 This section shall not apply to any member who retired and
47 subsequently returned to employment pursuant to a provision of

1 law, or pursuant to Executive Order No. 115 of 2020, permitting a
2 retired member to return to employment without reenrollment.

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4 2. This act shall take effect immediately and be retroactive to
5 March 9, 2020.

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STATEMENT

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10 This bill provides for an accidental death benefit when a member
11 of the Teachers' Pension and Annuity Fund dies as a result of
12 COVID -19. Under this bill, a member whose death is attributable
13 to COVID-19, complications therefrom, or the aggravation or
14 acceleration of a preexisting condition caused thereby will be
15 deemed to have occurred as the result of an accident met in the
16 actual performance of duty at some definite time and place if:

17 the member contracted COVID-19 during the public health
18 emergency in the State declared by the Governor in Executive
19 Order No. 103 of 2020 and as extended;

20 the member dies as a result of COVID-19; and

21 the member's regular or assigned duties required the member to
22 interact, and the member so interacted, with the public, other
23 employee, students, or parents, or to directly supervise other
24 personnel so interacting with the public, other employees, students
25 or parents, on any date during the public health emergency in the
26 State declared by the Governor in Executive Order No. 103 of 2020
27 and as extended within 14 calendar days prior to the appearance of
28 symptoms consistent with COVID-19 that shall have been
29 confirmed in writing by a licensed health care provider.

30 If a member dies during the public health emergency in the State
31 declared by the Governor in Executive Order No. 103 of 2020 and
32 as extended and a beneficiary has received approvals for a benefit
33 prior to the effective date of this bill, the beneficiary may apply for
34 a benefit pursuant to this bill and, if approved, the prior approvals
35 will be rescinded and the benefit pursuant to this bill will be made
36 retroactive to the date of the rescinded initial approvals.

37 A person approved pursuant to this bill to receive an accidental
38 death benefit will be entitled to receive health care benefits
39 coverage for that person and any dependents through the School
40 Employees' Health Benefits Program and the full cost of such
41 coverage will be paid by the State for five years following the date
42 of enrollment in the program.

43 This section will not apply to any member who retired and
44 subsequently returned to employment pursuant to a provision of
45 law, or pursuant to Executive Order No. 115 of 2020, permitting a
46 retired member to return to employment without reenrollment.