

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2311

BY: MONSON

AS INTRODUCED

AN ACT RELATING TO SCHOOLS; AMENDING 70 O.S. 1991, SECTION 5-117.5, WHICH RELATES TO SCHOOL DISTRICTS; REQUIRING SCHOOL DISTRICTS TO PARTICIPATE IN THE STATE AND EDUCATION EMPLOYEES GROUP INSURANCE PLANS; AMENDING 70 O.S. 1991, SECTION 14-108.1, WHICH RELATES TO AREA VOCATIONAL-TECHNICAL SCHOOL DISTRICTS; AND REQUIRING AREA VOCATIONAL-TECHNICAL SCHOOL DISTRICTS TO PARTICIPATE IN THE STATE AND EDUCATION EMPLOYEES GROUP INSURANCE PLANS.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 1991, Section 5-117.5, is amended to read as follows:

Section 5-117.5 A. Beginning October 1, 1991, the board of education of each school district in this state shall provide a health insurance plan for the employees of the school district. School districts may obtain health and dental insurance coverage as provided for in the State and Education Employees Group Insurance Act or may obtain other health insurance coverage. Any school district that does not participate in the health and dental insurance plans offered through the State and Education Employees

Group Insurance Act by October 1, 1991, shall obtain health insurance coverage for the employees which provides open enrollment and, if the school district provides other health insurance coverage pursuant to the provisions of paragraph 1 of subsection B of Section 168 of Title 51 of the Oklahoma Statutes, shall provide for the continuation of health insurance coverage, including supplemental Medicare insurance coverage, for those district employees who retire from said district after September 30, 1991 with a vested benefit in the Teachers' Retirement System of Oklahoma. A retired person who begins receiving benefits from the Teachers' Retirement System of Oklahoma after September 30, 1991, who retires from a school district that provides other health insurance coverage pursuant to the provisions of paragraph 1 of subsection B of Section 168 of Title 51 of the Oklahoma Statutes, and who elects to continue said health insurance coverage shall pay the premium rate for the health insurance minus an amount equal to the premium rate of the Medicare supplement or Seventy-five Dollars (\$75.00), whichever is less, which shall be paid by the Teachers' Retirement System of Oklahoma to the health insurance coverage provider.

B. A school district that participates in health insurance coverage other than the health insurance plan offered by the State and Education Employees Group Insurance Act shall not be required to pay any portion of the premiums for the employees or the dependents of the employees of said school district. Unless a school district negotiates an agreement with its employees regarding health insurance pursuant to Sections 509.1 through 509.9 of this title, and to the extent that the agreement provides for the members of the recognized bargaining unit, a school district that participates in health insurance coverage other than the health insurance plan offered by the State and Education Employees Group Insurance Act is prohibited from acquiring additional or supplemental health or dental insurance for any board member, school superintendent or any

other employee which is not available to all employees of said district, and said school district shall not pay a greater portion of the employee or dependent premium for any health or dental insurance plan or plans provided by said school district on behalf of any board member, school superintendent or employee than that portion paid on behalf of all participating employees of said district.

C. If a school district obtains health insurance coverage from a source other than through the State and Education Employees Group Insurance Act, the employees of the school district who would be eligible to participate in the health and dental plans may, beginning October 1, 1991, require the board of education of the school district to call an election to allow said employees to vote as to whether the school district shall participate in the health and dental insurance plans offered through the State and Education Employees Group Insurance Act. Upon the filing with the board of education of a petition calling for such an election which is signed by no less than thirty percent (30%) of the eligible employees of the school district, the board of education shall call an election for the purpose of determining whether the school district shall participate in the health and dental insurance plans offered through the State and Education Employees Group Insurance Act. The election shall be held within thirty (30) days of the filing of the petition. If a majority of those eligible employees voting at the election vote to participate in the health and dental insurance plans offered through the State and Education Employees Group Insurance Act, the board of education of the school district shall apply for such participation within thirty (30) days of the election.

D. If a school district does not have any health insurance coverage of the type required by this section as of September 30, 1991, that school district shall be enrolled in the health and

dental insurance plans offered through the State and Education Employees Group Insurance Act on October 1, 1991.

E. On July 1, 1993, each school district of this state not already participating in the health and dental insurance plans offered through the State and Education Employees Group Insurance Act shall be enrolled in said plans.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 14-108.1, is amended to read as follows:

Section 14-108.1 A. Beginning October 1, 1991, the board of education of each area vocational-technical school district in this state shall provide a health insurance plan for the employees of the area vocational-technical school district. Area vocational-technical school districts may obtain health and dental insurance coverage as provided for in the State and Education Employees Group Insurance Act or may obtain other health insurance coverage. Any area vocational-technical district that does not participate in the health and dental insurance plans offered through the State and Education Employees Group Insurance Act by October 1, 1991, shall obtain health insurance coverage for the employees which provides open enrollment and, if the area vocational-technical school district provides other health insurance coverage pursuant to the provisions of paragraph 1 of subsection B of Section 168 of Title 51 of the Oklahoma Statutes, shall provide for the continuation of health insurance coverage, including supplemental Medicare insurance coverage, for those district employees who retire from said district after September 30, 1991 with a vested benefit in the Teachers' Retirement System of Oklahoma. A retired person who begins receiving benefits from the Teachers' Retirement System of Oklahoma after September 30, 1991, who retires from an area vocational-technical school district that provides other health insurance coverage pursuant to the provisions of paragraph 1 of subsection B of Section 168 of Title 51 of the Oklahoma Statutes,

and who elects to continue said health insurance coverage shall pay the premium rate for the health insurance minus an amount equal to the premium rate of the Medicare supplement or Seventy-five Dollars (\$75.00), whichever is less, which shall be paid by the Teachers' Retirement System of Oklahoma to the health insurance coverage provider.

B. An area vocational-technical school district that participates in health insurance coverage other than the health insurance plan offered by the State and Education Employees Group Insurance Act shall not be required to pay any portion of the premium for the employees or the dependents of the employees of said school district. Unless a school district negotiates an agreement with its employees regarding health insurance pursuant to Sections 509.1 through 509.9 of this title, and to the extent that the agreement provides for the members of the recognized bargaining unit, an area vocational-technical school district that participates in health insurance coverage other than the health insurance plan offered by the State and Education Employees Group Insurance Act is prohibited from acquiring additional or supplemental health or dental insurance for any board member, area school superintendent or any other employee which is not available to all employees of said district, and said school district shall not pay a greater portion of the employee or dependent premium for any health or dental insurance plan or plans provided by said school district on behalf of any board member, area school superintendent or employee than that portion paid on behalf of all participating employees of said district.

C. If an area vocational-technical school district obtains health insurance coverage from a source other than through the State and Education Employees Group Insurance Act, the employees of the area vocational-technical school district who would be eligible to participate in the health and dental plans may, beginning October 1,

1991, require the board of education of the area vocational-technical school district to call an election to allow said employees to vote as to whether the school district shall participate in the health and dental insurance plans offered through the State and Education Employees Group Insurance Act. Upon the filing with the board of education of a petition calling for such an election which is signed by no less than thirty percent (30%) of the eligible employees of the area vocational-technical school district, the board of education shall call an election for the purpose of determining whether the area vocational-technical school district shall participate in the health and dental insurance plans offered through the State and Education Employees Group Insurance Act. The election shall be held within thirty (30) days of the filing of the petition. If a majority of those eligible employees voting at the election vote to participate in the health and dental insurance plans offered through the State and Education Employees Group Insurance Act, the board of education of the area vocational-technical school district shall apply for such participation within thirty (30) days of the election.

D. If an area vocational-technical school district does not have any health insurance coverage of the type required by this section as of September 30, 1991, that area vocational-technical school district shall be enrolled in the health and dental insurance plans offered through the State and Education Employees Group Insurance Act on October 1, 1991.

E. On July 1, 1993, each area vocational-technical school district of this state not already participating in the health and dental insurance plans offered through the State and Education Employees Group Insurance Act shall be enrolled in said plans.

