

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 191

By: Aldridge

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5
6 AS INTRODUCED

7 An Act relating to dependent insurance coverage;
8 amending 74 O.S. 2001, Section 1301, as last amended
9 by Section 13, Chapter 415, O.S.L. 2008 and Section
10 4, Chapter 231, O.S.L. 2006, as amended by Section
11 14, Chapter 415, O.S.L. 2008 (74 O.S. 2010, Sections
12 1303 and 1309.1), which relate to the State and
13 Education Employees Group Insurance Board; modifying
14 definition of dependent; increasing age for insurance
15 coverage of certain dependents; and declaring an
16 emergency.

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

18 SECTION 1. AMENDATORY 74 O.S. 2001, Section 1303, as
19 last amended by Section 13, Chapter 415, O.S.L. 2008 (74 O.S. Supp.
20 2010, Section 1303), is amended to read as follows:

21 Section 1303. For the purposes of and as used in the State and
22 Education Employees Group Insurance Act:

23 1. "Board" means the State and Education Employees Group
24 Insurance Board as created by the State and Education Employees
Group Insurance Act;

1 2. "Employee" means those state employees, education employees
2 and other eligible employees participating in the State and
3 Education Employees Group Insurance Act;

4 3. "Education Employee" means those employees other than
5 adjunct professors employed by a state institution of higher
6 education, in the service of an education entity who are members or
7 are or will be eligible to become members of the Teachers'
8 Retirement System of Oklahoma and who receive compensation for such
9 service after the education entity begins to participate in the
10 State and Education Employees Group Insurance Act and visiting
11 faculty who are not eligible for membership in the Teachers'
12 Retirement System of Oklahoma;

13 4. "Adjunct Professor" means a person employed by an
14 institution of higher education who is attached in a subordinate or
15 temporary capacity to the faculty or staff, and who is contracted to
16 instruct in a given specific discipline;

17 5. "Visiting Faculty" means a person employed by an institution
18 of higher education who is not eligible for academic rank or tenure,
19 other than an adjunct professor, and who is contracted to instruct
20 in a given specific discipline generally not to exceed one (1)
21 academic year;

22 6. "Education Entity" means a school district, a technology
23 center school district, or an institution comprising The Oklahoma
24 State System of Higher Education;

1 7. "State Employee" means and includes each officer or employee
2 in the service of the State of Oklahoma who, after January 1, 1966,
3 received compensation for service rendered to the State of Oklahoma
4 on a warrant issued pursuant to a payroll certified by a department
5 or by an elected or duly appointed officer of the state or who
6 receives payment for the performance of personal services on a
7 warrant issued pursuant to a payroll certified by a department and
8 drawn by the State Treasurer against appropriations made by the
9 Legislature from any state fund or against trust funds held by the
10 State Treasurer, who is employed in a position normally requiring
11 actual performance of duty during not less than one thousand (1,000)
12 hours per year, and whose employment is not seasonal or temporary,
13 except that a person elected by popular vote will be considered an
14 employee during the person's tenure in office; provided, however,
15 that employees who are otherwise eligible who are on approved leave
16 without pay shall be eligible to continue coverage during such leave
17 not to exceed twenty-four (24) months, as provided in the Merit
18 Rules for Employment published by the Office of Personnel
19 Management, from the date the employee goes on such leave provided
20 the employee pays the full premiums due or persons who are drawing
21 disability benefits under Section 1331 et seq. of this title or meet
22 each and every requirement of the State Employees Disability Program
23 shall be eligible to continue coverage provided the person pays the
24 full premiums due;

1 8. "Carrier" means the State of Oklahoma or a state designated
2 Health Maintenance Organization (HMO). Such HMO shall be a
3 federally qualified Health Maintenance Organization under 42 U.S.C.,
4 Section 300e et seq.;

5 9. "Health Insurance Plan" means a self-insured plan by the
6 State of Oklahoma for the purpose of paying the cost of hospital and
7 medical care up to the maximum coverage provided by said plan or
8 prepaid medical plan(s) offered to employees as an alternative to
9 the state-administered plan by federally qualified HMOs which have
10 contracted with the state;

11 10. "Life Insurance Plan" means a self-insured plan for the
12 purpose of paying death and dismemberment benefits up to the maximum
13 coverage provided by the plan;

14 11. "Dental Benefits Plan" means a plan by the State of
15 Oklahoma for the purpose of paying the cost of dental care up to the
16 maximum coverage provided by the plan; whenever the term "Dental
17 Insurance Plan" or a term of like import appears in the State and
18 Education Employees Group Insurance Act, the term shall mean "Dental
19 Benefits Plan";

20 12. "Other insurance" means any type of coverage other than
21 basic hospital and medical benefits, major medical benefits,
22 comprehensive benefits, life insurance benefits or dental insurance
23 benefits, which the Board may be directed to offer;

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1 13. "Dependent" means ~~an employee's spouse or any unmarried~~
2 ~~child (1) under the age of twenty five (25) years, regardless of~~
3 ~~residence, provided that the employee is primarily responsible for~~
4 ~~their support, including (a) an adopted child and (b) a stepchild or~~
5 ~~child who lives with the employee in a regular parent-child~~
6 ~~relationship, or (2) regardless of age who is incapable of self-~~
7 ~~support because of mental or physical incapacity that existed prior~~
8 ~~to reaching the age of twenty five (25) years:~~

9 a. the spouse of an employee,

10 b. any child of an employee, if the child is under
11 twenty-six (26) years of age, regardless of residence.

12 As used in this subparagraph, "child" means a
13 daughter, son, stepdaughter, or stepson of an
14 employee, or

15 c. any child of an employee, regardless of age, if the
16 child is incapable of self-support because of mental
17 or physical incapacity that existed prior to the child
18 reaching twenty-six years of age.

19 In addition, dependents may include other unmarried children
20 under twenty-six (26) years of age, who live with the employee in a
21 parent-child relationship if the employee is primarily responsible
22 for the child's support;

23 14. "Comprehensive benefits" means benefits which reimburse the
24 expense of hospital room and board, other hospital services, certain

1 outpatient expenses, maternity benefits, surgical expense, including
2 obstetrical care, in-hospital medical care expense, diagnostic
3 radiological and laboratory benefits, physicians' services provided
4 by house and office calls, treatments administered in physicians'
5 office, prescription drugs, psychiatric services, Christian Science
6 practitioners' services, Christian Science nurses' services,
7 optometric medical services for injury or illness of the eye, home
8 health care, home nursing service, hospice care, and such other
9 benefits as may be determined by the Board. Such benefits shall be
10 provided on a copayment or coinsurance basis, the insured to pay a
11 proportion of the cost of such benefits, and may be subject to a
12 deductible that applies to all or part of the benefits as determined
13 by the Board; and

14 15. "Life insurance coverage" shall include a maximum amount of
15 basic life insurance or benefit with or without a double indemnity
16 provision and an amount of accidental death and dismemberment
17 insurance or benefit per employee to be provided by the State of
18 Oklahoma, and the employee shall have the option to purchase
19 additional life insurance or benefits on the employee's life up to
20 the amount provided by the plan. Such basic life insurance
21 benefits, with or without double indemnity, and accidental death and
22 dismemberment benefits shall not exclude coverage for death or
23 dismemberment resulting from war, insurrection or riot. The Board
24 may also extend dependent life insurance in an amount to be

1 determined by the Board to each insured employee who elects to
2 insure the employee's eligible dependents. Premiums for the
3 dependent life insurance shall be paid wholly by the employee.

4 SECTION 2. AMENDATORY Section 4, Chapter 231, O.S.L.
5 2006, as amended by Section 14, Chapter 415, O.S.L. 2008 (74 O.S.
6 Supp. 2010, Section 1309.1), is amended to read as follows:

7 Section 1309.1 Any dependent shall be allowed to remain covered
8 as a dependent under the State and Education Employees Group
9 Insurance Act up to the age of ~~twenty-five (25)~~ twenty-six (26)
10 years.

11 SECTION 3. It being immediately necessary for the preservation
12 of the public peace, health and safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

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