

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 2879

By: Montgomery

AS INTRODUCED

An Act relating to state government; amending 74 O.S. 2011, Section 1308.1, as amended by Section 946, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2017, Section 1308.1), which relates to the Oklahoma Employees Insurance and Benefits Act; limiting certain health insurance benefit plan premiums; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2011, Section 1308.1, as amended by Section 946, Chapter 304, O.S.L. 2012 (74 O.S. Supp. 2017, Section 1308.1), is amended to read as follows:

Section 1308.1 (1) An educational entity may extend the benefits of the health insurance plan, the dental insurance plan, and the life insurance plan to education employees employed by the entity. The benefits of the plans for an education employee shall be the same and shall include the same plan options as would be made available to a state employee participating in the plan that resided at the same location. Notwithstanding the provisions of Section 1308.2 of this title, a period shall exist for enrolling education

1 entities from April 1, 1989 through October 1, 1991, whereby
2 education employees of a participating education entity may be
3 enrolled, pursuant to ~~this act~~ Section 1308.2 of this title, during
4 the entities' initial enrollment period, regardless of preexisting
5 conditions. The Office of Management and Enterprise Services shall
6 adopt rules and regulations for enrollment by which education
7 entities may apply to participate in the insurance plans. Once an
8 education entity becomes a participant in the health and dental
9 insurance plans offered through the Oklahoma Employees Insurance and
10 Benefits Act, the education entity may withdraw from participation,
11 in a manner prescribed by the Office. If a school district is
12 participating in the health and dental insurance plans pursuant to
13 the Oklahoma Employees Insurance and Benefits Act, Sections 1301
14 through 1329.1 of this title, the employees of the school district
15 who are eligible to participate in the health and dental plans, at
16 such time as the school district may withdraw from such
17 participation, may require the board of education of the school
18 district to call an election to allow the employees to vote as to
19 whether the school district shall continue participation in the
20 health and dental insurance plans offered through the Oklahoma
21 Employees Insurance and Benefits Act. Upon the filing with the
22 board of education of a petition calling for such an election which
23 is signed by no less than thirty percent (30%) of the eligible
24 employees of the school district, the board of education shall call

1 an election for the purpose of determining whether the school
2 district shall continue participation in the health and dental
3 insurance plans offered through the Oklahoma Employees Insurance and
4 Benefits Act. The election shall be held within thirty (30) days of
5 the filing of the petition. If a majority of those eligible
6 employees voting at the election vote to continue participation in
7 the health and dental insurance plans offered through the Oklahoma
8 Employees Insurance and Benefits Act, the board of education shall
9 be prohibited from withdrawing the school district from such
10 participation. If a majority of those eligible employees voting at
11 the election vote against continued participation in the health and
12 dental insurance plans offered through the Oklahoma Employees
13 Insurance and Benefits Act, the board of education of the school
14 district shall apply to discontinue such participation within thirty
15 (30) days of the election and within the times the school district
16 is authorized to withdraw from participation in accordance with
17 rules established for withdrawal by the Office.

18 (2) Except as otherwise provided in this subsection, when an
19 education entity participates in the health and dental insurance
20 plans offered through the Oklahoma Employees Insurance and Benefits
21 Act, all employees shall be advised of Health Maintenance
22 Organizations prepaid plans available as an alternative to the state
23 self-insured health insurance plan. Eligible part-time education
24 employees, at the option of the employee, may enroll in the plans

1 either at the time the education entity begins participation in the
2 plans or, if later, upon a showing of insurability to the
3 satisfaction of the Office.

4 (3) Any employee of an education entity participating in the
5 health and dental insurance plans offered through the Oklahoma
6 Employees Insurance and Benefits Act who is employed after the
7 education entity began said participation may be enrolled in the
8 health and dental insurance plans or HMO plans approved by the
9 Office on the first day of the second month of employment.

10 (4) Upon initial enrollment of an institution of higher
11 education to participate in the health and dental insurance plans
12 offered through the Oklahoma Employees Insurance and Benefits Act,
13 all individuals presently insured by said institution's present
14 group health insurance plan shall become enrolled in said state
15 plans for the remaining period of said institution's contractual
16 liabilities.

17 (5) Education employees who shall be absent from the teaching
18 service because of election or appointment as a local, state, or
19 national education association officer shall be allowed to retain
20 coverage pursuant to the Oklahoma Employees Insurance and Benefits
21 Act upon the payment of the full cost of the coverage at the rate
22 and under such terms and conditions established by the Office.

23 (6) Except as otherwise provided by law, an educational entity
24 may cease to participate in the Oklahoma Employees Insurance and

1 Benefits Act but provide health insurance coverage through another
2 insurance carrier. The subsequent carrier shall provide coverage to
3 the employees of the educational entity who terminated employment
4 with a retirement benefit, with a vested benefit, or who have ten
5 (10) or more years of service with a participating educational
6 entity but did not have a vested benefit through the retirement
7 system of the educational entity, if the election to retain health
8 insurance coverage was made within thirty (30) days of termination
9 of employment. Coverage shall also be provided to the eligible
10 dependents of the employees if an election to retain coverage is
11 made within thirty (30) days of termination of employment. For any
12 health benefit plan offered to former employees and their dependents
13 pursuant to the provisions of this paragraph on or after January 1,
14 2019, the premiums paid by the former employee shall be equal to or
15 less than the premiums paid by a person who retires pursuant to the
16 provisions of the Teachers' Retirement System of Oklahoma and
17 continues in force the health and dental insurance benefits
18 authorized by the provisions of the Oklahoma Employees Insurance and
19 Benefits Act.

20 SECTION 2. This act shall become effective November 1, 2018.

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