

SENATE BILL No. 335

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-10-8-6.7.

Synopsis: School corporation health insurance. Requires a school corporation that voluntarily elects to provide school corporation employee health coverage through a state employee health plan to allow an employee who is offered other health coverage through a collective bargaining agreement to choose whether to participate in either of the coverages.

Effective: July 1, 2016.

Becker, Tomes

January 7, 2016, read first time and referred to Committee on Insurance & Financial Institutions.



Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 335

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-10-8-6.7, AS AMENDED BY P.L.6-2012,
2 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 6.7. (a) As used in this section, "state employee
4 health plan" means a:
5 (1) self-insurance program established under section 7(b) of this
6 chapter; or
7 (2) contract with a prepaid health care delivery plan entered into
8 under section 7(c) of this chapter;
9 to provide group health coverage for state employees.
10 (b) The state personnel department shall allow a school corporation
11 or charter school to elect to provide coverage of health care services for
12 active and retired employees of the school corporation under any state
13 employee health plan. **Except as provided in subsection (c)**, if a
14 school corporation or charter school elects to provide coverage of
15 health care services for active and retired employees of the school
16 corporation or charter school under a state employee health plan, it
17 must provide coverage for all active and retired employees of the



1 school corporation or charter school under the state employee health
 2 plan (other than any employees covered by an Indiana comprehensive
 3 health insurance association policy or individuals who retire from the
 4 school corporation before July 1, 2010, or charter school before July 1,
 5 2011) if coverage was provided for these employees under the prior
 6 policies.

7 **(c) If:**

8 **(1) an electing school corporation is not required by**
 9 **IC 20-26-17-4 to elect to participate in a state employee health**
 10 **plan; and**

11 **(2) coverage of health care services is offered under another**
 12 **health benefit plan:**

13 **(A) through a collective bargaining agreement; and**

14 **(B) to employees of the electing school corporation who are**
 15 **represented under the collective bargaining agreement;**

16 **the electing school corporation shall allow each school corporation**
 17 **employee described in subdivision (2)(B) to determine whether the**
 18 **school corporation employee will participate in coverage for health**
 19 **care services under either the state employee health plan described**
 20 **in subdivision (1) or the collective bargaining agreement coverage**
 21 **described in subdivision (2).**

22 ~~(c)~~ **(d)** The following apply if a school corporation or charter school
 23 elects to provide coverage for active and retired employees of the
 24 school corporation or charter school under subsection (b):

25 (1) The state shall not pay any part of the cost of the coverage.

26 (2) The **state employee health plan** coverage provided to an
 27 active or retired school corporation or charter school employee
 28 under this section must be the same as the coverage provided to
 29 an active or retired state employee under the state employee
 30 health plan.

31 (3) Notwithstanding sections 2.2 and 2.6 of this chapter:

32 (A) the school corporation or charter school shall pay for the
 33 **state employee health plan** coverage provided to an active or
 34 retired school corporation or charter school employee under
 35 this section an amount not more than the amount paid by the
 36 state for coverage provided to an active or retired state
 37 employee under the state employee health plan; and

38 (B) an active or retired school corporation or charter school
 39 employee shall pay for the **state employee health plan**
 40 coverage provided to the active or retired school corporation
 41 or charter school employee under this section an amount that
 42 is at least equal to the amount paid by an active or retired state



1 employee for coverage provided to the active or retired state
2 employee under the state employee health plan.
3 However, this subdivision does not apply to contractual
4 commitments made by a school corporation to individuals who
5 retire before July 1, 2010, or by a charter school to individuals
6 who retire before July 1, 2011.
7 (4) The school corporation or charter school shall pay any
8 administrative costs of the school corporation's or charter school's
9 participation in the state employee health plan.
10 (5) The school corporation or charter school shall provide the
11 **state employee health plan** coverage elected under subsection
12 (b) for a period of at least three (3) years beginning on the date
13 the coverage of the school corporation or charter school
14 employees under the state employee health plan begins.
15 ~~(d)~~ (e) The state personnel department shall provide an enrollment
16 period at least every thirty (30) days for a school corporation or charter
17 school that elects to provide **state employee health plan** coverage
18 under subsection (b).
19 ~~(e)~~ (f) The state personnel department may adopt rules under
20 IC 4-22-2 to implement this section.
21 ~~(f)~~ (g) Neither this section nor a school corporation's or charter
22 school's election to participate in a state employee health plan as
23 provided in this section impairs the rights of an exclusive
24 representative of the certificated or noncertificated employees of the
25 school corporation or charter school to collectively bargain all matters
26 related to school employee health insurance programs and benefits.

