

House Substitute for SENATE BILL No. 54

By Committee on Insurance

3-19

1 AN ACT concerning the Kansas highway patrol; relating to state employee
2 health plan continuation; pertaining to certain retirees; duties of
3 superintendent of the Kansas highway patrol and the secretary of health
4 and environment; amending K.S.A. 75-6511 and repealing the existing
5 section.

6
7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 75-6511 is hereby amended to read as follows: 75-
9 6511. (a) Except as provided in subsection (b), the director of accounts and
10 reports shall make periodic deductions from state retirement or other
11 benefit payments to retired state officers and employees and other persons
12 who are qualified to participate in the state health care benefits program
13 for the costs of the state health care benefits program which are payable by
14 such retired state officers and employees and other persons.

15 (b) No deductions shall be made under this section in cases: (1)
16 Where the retired state officer or employee or other person submits a
17 written request in accordance with procedures prescribed by the
18 commission that the deductions not be made; or (2) where the
19 commission has directed that the deductions not be made.

20 (c) No deductions made under this section shall be construed to be an
21 assignment of any annuity, benefits, funds, property or rights of any person
22 under K.S.A. 20-2618, 74-4923 or 74-49,105, and amendments to these
23 sections thereto.

24 (d) *As used in this section:*

25 (1) "Medicare" means title XVIII of the United States social security
26 act as added by the social security amendments of 1965 or as later
27 amended or superseded.

28 (2) "Program" means the highway patrol health plan continuation
29 program.

30 (3) "Program funds" means the cash equivalent that was converted
31 from the program participant's unused leave and credited to the highway
32 patrol health plan continuation fund.

33 (4) "Program participant" means a Kansas highway patrol trooper or
34 officer who:

35 (A) Is eligible for normal retirement under K.S.A. 74-4957 or 74-
36 4957a, and amendments thereto;

- 1 (B) is not yet eligible for medicare; and
- 2 (C) elects to participate in the highway patrol health plan
- 3 continuation program.
- 4 (5) "Secretary" means the secretary of health and environment or the
- 5 secretary's designee.
- 6 (6) "Superintendent" means the superintendent of the Kansas
- 7 highway patrol or designee.
- 8 (e) Program participants may elect to enroll in the program, whereby
- 9 the program participant's unused:
 - 10 (1) Vacation leave shall be converted to a cash equivalent;
 - 11 (2) sick leave shall be converted to a cash equivalent pursuant to the
 - 12 provisions of K.S.A. 75-5517, and amendments thereto.
 - 13 Cash equivalents shall be credited to the highway patrol health
 - 14 continuation fund under the program participant's name and shall be used
 - 15 to pay for the costs of the state health care benefits for which the program
 - 16 participant is responsible until the program participant becomes eligible
 - 17 for medicare.
 - 18 (f) If the program participant is married, the program participant
 - 19 may cover the program participant's spouse through this program.
 - 20 (g) The election to participate in the highway patrol health care
 - 21 continuation program shall be offered once only, at the time of each
 - 22 eligible program participant's retirement. The election shall be
 - 23 irrevocable.
 - 24 (h) If a program participant dies with unused program funds in the
 - 25 highway patrol health plan continuation fund, such remaining funds shall
 - 26 be paid to the program participant's beneficiary.
 - 27 (i) If, upon the program participant becoming eligible for medicare,
 - 28 the program participant's spouse does not qualify for medicare and there
 - 29 are unused program funds remaining, the spouse shall remain in the
 - 30 program until becoming eligible for medicare or until program funds are
 - 31 expended.
 - 32 (j) There is hereby created in the state treasury the highway patrol
 - 33 health plan continuation fund. The fund shall be administered by the
 - 34 secretary. Upon receipt of any program funds from the superintendent, the
 - 35 secretary shall remit the entire amount of the remittance to the state
 - 36 treasurer in accordance with the provisions of K.S.A. 75-4215, and
 - 37 amendments thereto. Upon receipt of each such remittance, the state
 - 38 treasurer shall deposit the entire amount in the state treasury to the credit
 - 39 of the highway patrol health plan continuation fund. All expenditures from
 - 40 the highway patrol health plan continuation fund shall be made in
 - 41 accordance with appropriation acts upon warrants of the director of
 - 42 accounts and reports issued pursuant to vouchers approved by the
 - 43 secretary.

1 (k) *The superintendent shall be responsible for developing and*
2 *implementing:*

3 (1) *A notification and enrollment process for the highway patrol*
4 *health plan continuation program; and*

5 (2) *a process to notify the secretary of the amount of unused vacation*
6 *and sick leave to be converted to a cash equivalent for each program*
7 *participant.*

8 (1) *The secretary shall be responsible for:*

9 (1) *Developing and implementing a process to convert a program*
10 *participant's leave into a cash equivalent and crediting it to the highway*
11 *patrol health plan continuation fund;*

12 (2) *developing and implementing a process to pay the cost of each*
13 *program participant's contribution to the state health care benefits*
14 *program for which the program participant is responsible;*

15 (3) *providing an annual accounting of program funds remaining to*
16 *each program participant; and*

17 (4) *maintaining all program records.*

18 Sec. 2. K.S.A. 75-6511 is hereby repealed.

19 Sec. 3. This act shall take effect and be in force from and after its
20 publication in the statute book.