

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 494

By: Sparks

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6 AS INTRODUCED

7 An Act relating to state parental leave; amending 74
8 O.S. 2011, Section 1332, which relates to the State
9 Employees Disability Program; providing for certain
10 eligibility for short-term disability plan; requiring
11 certain assistance in rulemaking; and providing an
12 effective date.

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

14 SECTION 1. AMENDATORY 74 O.S. 2011, Section 1332, is
15 amended to read as follows:

16 Section 1332. A. The State and Education Employees Group
17 Insurance Board shall establish a Disability Insurance Program for
18 state employees. The program shall consist of a long-term
19 disability plan and a short-term disability plan. Participation in
20 the program shall be limited to state employees who have been state
21 employees for a period of not less than one (1) month and who are
22 eligible for enrollment in the Health Insurance Plan administered by
23 the Board. No state employee shall be eligible to receive any
24 benefits from the long-term disability program unless the state
employee has used all of the sick leave of the employee. The Board

1 shall promulgate such rules as are necessary for adoption and
2 administration of the Disability Insurance Program, including but
3 not limited to benefit eligibility requirements, methods for
4 computing benefit amounts, benefits amounts, and verification of
5 medical and health status of employees applying for or receiving
6 benefits.

7 B. The Disability Insurance Program shall be funded from
8 appropriations made by the Legislature. Employees shall not be
9 required to make contributions to participate in the program.

10 C. Employee disability insurance coverage shall begin on March
11 1, 1986.

12 D. Effective November 1, 2017, an employee on parental leave
13 shall qualify for participation in the short-term disability plan.
14 For the purposes of this section, "employee on parental leave" shall
15 mean a state employee who is on leave and eligible for such leave
16 under the federal Family and Medical Leave Act because of the
17 following:

18 1. The birth of a child of the employee and in order to care
19 for such child; or

20 2. The placement of a child with the employee for adoption or
21 foster care by the employee.

22 The director of the Office of Management and Enterprise Services
23 shall provide technical assistance as necessary for the Board's
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1 promulgation of rules incorporating benefits for parental leave into
2 the rules for the Disability Insurance Program for state employees.

3 E. The Board shall establish a grievance procedure by which a
4 three-member grievance panel ~~established in the same manner as~~
5 ~~specified in paragraph 6 of Section 1306 of this title~~ shall act as
6 an appeals body for complaints regarding the allowance and payment
7 of claims, eligibility, and other matters. The grievance procedure
8 provided by this subsection shall be the exclusive remedy available
9 to persons having complaints against the insurer. Such grievance
10 procedure shall be subject to the Oklahoma Administrative Procedures
11 Act, including provisions for the review of agency decisions by the
12 district court. The grievance panel shall schedule a hearing
13 regarding the allowance and payment of claims, eligibility and other
14 matters within sixty (60) days from the date the grievance panel
15 receives a written request for a hearing. Upon written request to
16 the grievance panel received not less than ten (10) days before the
17 hearing date, the grievance panel shall cause a full stenographic
18 record of the proceedings to be made by a licensed or certified
19 court reporter at the insured employee's expense.

20 ~~E.~~ F. The Board may establish a claim processing division for
21 claims administration or may contract for claims administration
22 services with a private insurance carrier or a company that
23 specializes in claims administration of any insurance that the Board
24 may be directed to offer.

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SECTION 2. This act shall become effective November 1, 2017.

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