

2011 -- S 0483

LC01967

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO INSURANCE -- HEALTH

Introduced By: Senators Gallo, DeVall, and DiPalma

Date Introduced: March 10, 2011

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 27-73-2 and 27-73-4 of the General Laws in Chapter 27-73  
2 entitled "Rhode Island Public School Employee Uniform Benefit Act" are hereby amended to  
3 read as follows:

4 **27-73-2. Program implementation.** -- (a) Upon ~~implementation~~ recommendation of the  
5 uniform health care benefit plan designs or at such other time as specified herein or as specified  
6 in sections 28-9.3-2 and 28-9.4-3, all public school districts and charter schools ~~shall~~ may  
7 implement one or more benefit plan design(s) including, but not limited to, those ~~authorized~~  
8 recommended in accordance with this chapter.

9 (b) Upon expiration of collective bargaining agreements, ~~only~~ recommended benefit plan  
10 designs ~~approved~~ recommended by the board in accordance with this chapter may be specified in  
11 future collective bargaining agreements.

12 (c) Choice of benefit plan designs from those ~~approved~~ recommended in accordance  
13 with section 27-73-4, medical insurance cost-sharing, payment for waiving medical insurance,  
14 eligibility for receiving benefits, and providing benefits for retirees shall continue to be negotiated  
15 pursuant to sections 28-9-3 and 28-9-4.

16 (d) Each municipality, district or charter school, may, at its discretion, contract for and  
17 manage benefit plans under this chapter, either directly or indirectly, through municipal, district  
18 or charter arrangements with insurance purchasing collaboratives or joint purchasing groups.

19 **27-73-4. Powers, duties, and functions of the board.** -- (a) The board shall have the

1 following powers, duties and functions relative to active full-time certified employees pursuant to  
2 section 28-9.3-2, and active full-time school district employees pursuant to section 28-9.4-3:

3 (1) To design and ~~approve~~ recommend, with input and recommendations from the  
4 technical advisory committee, medical benefits plan designs and prescription drug coverage plan  
5 designs in accordance with the following:

6 (i) To design at least six (6) uniform benefit plan designs for all Rhode Island public  
7 school employees.

8 (ii) Benefit plan designs shall include at least one managed care option, at least four (4)  
9 preferred provider organization (PPO) options, and at least one health savings account (HSA)  
10 compatible high deductible health plan (HDHP) option.

11 (iii) The actuarial value of any of the approved benefit plan designs may not be greater  
12 than the actuarial value of the state employee health plan in effect as of the date the plan designs  
13 are approved.

14 (iv) The PPO options shall reflect four (4) different levels of plan design, with a  
15 minimum actuarial difference between each of the plan designs of seven and one-half percent  
16 (7.5%).

17 (v) The actuarial value of the lowest board-~~approved~~ recommended benefit plan design  
18 shall not be greater than the actuarial value of the public school employee benefit plan design  
19 with the lowest actuarial value in effect in the state on January 1, 2011.

20 (b) To monitor the implementation of the uniform benefit plan designs and to  
21 recommend modifications to such benefit plan designs as appropriate.

22 (c) To report to the governor and general assembly on or before ~~April 15, 2011~~ January  
23 1, 2012, with recommendations on the means, feasibility and benefits of developing a statewide  
24 health benefit purchasing arrangement for public school employees.

25 SECTION 2. Section 28-9.3-2 of the General Laws in Chapter 28-9.3 entitled "Certified  
26 School Teachers' Arbitration" is hereby amended to read as follows:

27 **28-9.3-2. Right to organize and bargain collectively.** -- (a) The certified teachers in the  
28 public school system in any city, town, or regional school district have the right to negotiate  
29 professionally and to bargain collectively with their respective school committees and to be  
30 represented by an association or labor organization in the negotiation or collective bargaining  
31 concerning hours, salary, working conditions, and all other terms and conditions of professional  
32 employment.

33 (b) For purposes of this chapter, "certified teachers" means certified teaching personnel  
34 employed in the public school systems in the state of Rhode Island engaged in teaching duties,

1 including support personnel whose positions require a professional certificate issued by the state  
2 department of education and personnel licensed by the department of health; or other non-  
3 administrative professional employees.

4 (c) Superintendents, assistant superintendents, principals, and assistant principals, and  
5 other supervisors above the rank of assistant principal, are excluded from the provisions of this  
6 chapter.

7 (d) ~~Notwithstanding the provisions of subsection (a), collective bargaining agreements~~  
8 ~~shall not provide for benefits for health care ("benefit plans") for certified employees unless such~~  
9 ~~benefit plans are authorized in accordance with chapter 27-73.~~ Active employees whose  
10 collective bargaining agreements expire on or after ~~June~~ September 30, 2011 ~~shall~~ may, upon  
11 expiration of such collective bargaining agreements, receive coverage under benefit plans  
12 ~~authorized~~ including, but not limited to, those recommended in accordance with chapter 27-73.

13 SECTION 3. Section 28-9.4-3 of the General Laws in Chapter 28-9.4 entitled "Municipal  
14 Employees' Arbitration" is hereby amended to read as follows:

15 **28-9.4-3. Right to organize and bargain collectively.** -- (a) The municipal employees of  
16 any municipal employer in any city, town, or regional school district shall have the right to  
17 negotiate and to bargain collectively with their respective municipal employers and to be  
18 represented by an employee organization in the negotiation or collective bargaining concerning  
19 hours, salary, working conditions, and all other terms and conditions of employment.

20 (b) Notwithstanding the provisions of subsection (a), for those municipal employees who  
21 are employed by school districts, collective bargaining agreements shall not provide for benefits  
22 for health care ("benefit plans") for school district employees unless such benefit plans are  
23 authorized in accordance with chapter 27-73. School district employees whose collective  
24 bargaining agreements expire on or after ~~June~~ September 30, 2011 ~~shall~~ may, upon expiration of  
25 such collective bargaining agreements, receive benefit plans ~~authorized~~ including, but not limited  
26 to, those recommended in accordance with chapter 27-73.

27 SECTION 4. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO INSURANCE -- HEALTH

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1           This act would increase the number of uniform health care benefit plans designed for  
2 their employees, that can be considered for implementation by public school systems and  
3 districts.

4           This act would take effect upon passage.

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