
SENATE BILL 5541

State of Washington

61st Legislature

2009 Regular Session

By Senators Keiser, Delvin, Parlette, and Kohl-Welles; by request of LEOFF Plan 2 Retirement Board

Read first time 01/26/09. Referred to Committee on Ways & Means.

1 AN ACT Relating to access to catastrophic disability medical
2 insurance under plan 2 of the law enforcement officers' and
3 firefighters' retirement system; and amending RCW 41.05.080 and
4 41.05.195.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 41.05.080 and 2007 c 114 s 6 are each amended to read
7 as follows:

8 (1) Under the qualifications, terms, conditions, and benefits set
9 by the board:

10 (a) Retired or disabled state employees, retired or disabled school
11 employees, retired or disabled employees of county, municipal, or other
12 political subdivisions, or retired or disabled employees of tribal
13 governments covered by this chapter may continue their participation in
14 insurance plans and contracts after retirement or disablement;

15 (b) Separated employees may continue their participation in
16 insurance plans and contracts if participation is selected immediately
17 upon separation from employment;

18 (c) Surviving spouses and dependent children of emergency service
19 personnel killed in the line of duty and surviving spouses and

1 dependent children of law enforcement officers and firefighters who are
2 totally disabled in the line of duty and receiving a retirement
3 allowance as provided under RCW 41.26.470(8) may participate in health
4 insurance ((plans and contracts));

5 (d) Law enforcement officers and firefighters who are totally
6 disabled in the line of duty and receiving a retirement allowance as
7 provided under RCW 41.26.470(8) and their dependents may participate in
8 health insurance.

9 (2) Rates charged surviving spouses of emergency service personnel
10 killed in the line of duty, law enforcement officers and firefighters
11 who are totally disabled in the line of duty and receiving a retirement
12 allowance as provided under RCW 41.26.470(8) and their dependents,
13 retired or disabled employees, separated employees, spouses, or
14 dependent children who are not eligible for parts A and B of medicare
15 shall be based on the experience of the community rated risk pool
16 established under RCW 41.05.022.

17 (3) Rates charged to surviving spouses of emergency service
18 personnel killed in the line of duty, law enforcement officers and
19 firefighters who are totally disabled in the line of duty and receiving
20 a retirement allowance as provided under RCW 41.26.470(8) and their
21 dependents, retired or disabled employees, separated employees,
22 spouses, or children who are eligible for parts A and B of medicare
23 shall be calculated from a separate experience risk pool comprised only
24 of individuals eligible for parts A and B of medicare; however, the
25 premiums charged to medicare-eligible retirees and disabled employees
26 shall be reduced by the amount of the subsidy provided under RCW
27 41.05.085.

28 (4) Surviving spouses and dependent children of emergency service
29 personnel killed in the line of duty, law enforcement officers and
30 firefighters who are totally disabled in the line of duty and receiving
31 a retirement allowance as provided under RCW 41.26.470(8) and their
32 dependents, and retired or disabled and separated employees shall be
33 responsible for payment of premium rates developed by the authority
34 which shall include the cost to the authority of providing health
35 insurance ((coverage)) including any amounts necessary for reserves and
36 administration in accordance with this chapter. These self pay rates
37 will be established based on a separate rate for the employee, the
38 spouse, and the children.

1 (5) The term "retired state employees" for the purpose of this
2 section shall include but not be limited to members of the legislature
3 whether voluntarily or involuntarily leaving state office.

4 **Sec. 2.** RCW 41.05.195 and 2007 c 114 s 7 are each amended to read
5 as follows:

6 Notwithstanding any other provisions of this chapter or rules or
7 procedures adopted by the authority, the authority shall make available
8 to retired or disabled employees who are enrolled in parts A and B of
9 medicare one or more medicare supplemental insurance policies that
10 conform to the requirements of chapter 48.66 RCW. The policies shall
11 be chosen in consultation with the public employees' benefits board.
12 These policies shall be made available to retired or disabled state
13 employees; retired or disabled school district employees; retired
14 employees of county, municipal, or other political subdivisions or
15 retired employees of tribal governments eligible for coverage available
16 under the authority; ~~((or))~~ surviving spouses of emergency service
17 personnel killed in the line of duty; or law enforcement officers and
18 firefighters who are totally disabled in the line of duty and receiving
19 a retirement allowance as provided under RCW 41.26.470(8) or their
20 dependents.

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