

HOUSE BILL NO. HB0306

Employee group insurance-local governments-2.

Sponsored by: Representative(s) Sweeney

A BILL

for

1 AN ACT relating to public employee compensation and benefits;
2 specifying that a local government entity may make coverage
3 through the state employees' and officials' group insurance
4 program available to the officers and employees of the entity;
5 making conforming amendments; specifying applicability; and
6 providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 9-3-201(a), (e), (f) and by creating
11 new subsections (g) and (h), 9-3-203(a)(iv), (xvi), by
12 creating a new paragraph (xvii) and by renumbering (xvii) as
13 (xviii), 9-3-210(e) and 9-3-217 are amended to read:

14

15 **9-3-201. Group prepaid plans authorized; agreements**
16 **with insurance companies authorized; limitation on authorized**

1 plans and companies; payroll deductions; self-insurance
2 programs; optional local government participation in plan.

3
4 (a) The state of Wyoming, ~~and its political~~
5 ~~subdivisions~~ boards of cooperative educational services,
6 local government entities and school districts may obtain
7 group prepaid plans or insurance for life, health, accident
8 or hospitalization for their employees and for elected
9 officials, except for members of the legislature, and enter
10 into agreements with prepaid plans or insurance companies to
11 provide this coverage. Insurance coverage for school
12 district, ~~or board~~ boards of cooperative educational services
13 or local government entity employees meeting the definition
14 of employee under W.S. 9-3-203(a)(iv), shall, if elected by
15 the district, ~~or board~~ or local government entity under
16 subsection (e) of this section, be provided through the state
17 employees' and officials' group insurance plan in accordance
18 with W.S. 9-3-202 through 9-3-218. Insurance coverage for
19 retired school district, ~~or board~~ of cooperative educational
20 services or local government entity employees shall, if
21 elected by the board, ~~or district~~ or local government entity
22 under subsection (e) of this section and if the retired
23 employee was continuously covered under the board's, ~~or~~

1 district's or local government entity's insurance plan prior
2 to the election, be provided through the state employees' and
3 officials' group insurance plan in accordance with W.S.
4 9-3-202 through 9-3-218. If a school district, ~~or~~ board of
5 cooperative educational services or local government entity
6 elects to cease participation in the group insurance plan
7 pursuant to subsection (f) of this section, the election shall
8 apply to retired employees of that board, ~~or~~ district or local
9 government entity who are receiving coverage under this
10 subsection.

11
12 (e) Any school district, ~~or~~ board of cooperative
13 educational services or local government entity may elect to
14 participate in the state employees' and officials' group
15 insurance plan by filing notification of election with the
16 department of administration and information on a form and in
17 a manner as prescribed by the department. Participation in
18 the plan for any electing board, ~~or~~ district or local
19 government entity shall commence not less than one hundred
20 twenty (120) days following the date on which the board, ~~or~~
21 district or local government entity filed notification under
22 this subsection and shall be identical to plans and coverage
23 provided other enrollees under this act. The department shall

1 notify the electing board, ~~or district~~ or local government
2 entity of the date on which the board, ~~or district~~ or local
3 government entity is eligible to participate in the state
4 group insurance plan. An election by a board, ~~or district~~ or
5 local government entity to participate in the state group
6 insurance plan under this subsection is irrevocable for a
7 period of five (5) years from the date on which plan
8 participation originally commenced. In addition to all other
9 remedies available to the department, if a district, ~~or board~~
10 or local government entity withdraws from the state group
11 insurance plan during the period of irrevocability, the
12 department may assess against the withdrawing board, ~~or~~
13 district or local government entity the amount by which all
14 claims paid on behalf of employees of the board, ~~or district~~
15 or local government entity exceeds total premiums paid by the
16 board, ~~or district~~ or local government entity and their
17 employees. A board, ~~or district~~ or local government entity
18 may renew its initial participation in the state group
19 insurance plan without interruption upon submitting
20 notification of renewal to the department prior to expiration
21 of the initial five (5) year participation period. Renewal of
22 plan participation shall be irrevocable for an additional
23 period of not less than five (5) years.

1

2 (f) Any school district, ~~or~~ board of cooperative
3 educational services or local government entity which has
4 elected to participate in the state employees' and officials'
5 group insurance plan under subsection (e) of this section
6 may, upon expiration of the initial five (5) years of plan
7 participation required under subsection (e) of this section,
8 elect to cease participation in the state group insurance
9 plan by filing notification of the election to the department
10 on a form and in a manner prescribed by the department. An
11 election under this subsection shall prohibit the board, ~~or~~
12 district or local government entity from participation in the
13 state group insurance plan for a period of five (5) years
14 commencing on the date plan participation ceased.
15 Participation in the plan for any board, ~~or~~ district or local
16 government entity electing to cease plan participation under
17 this subsection shall be discontinued on a date determined by
18 the department in consultation with the board, ~~or~~ district or
19 local government entity, but in no event later than one
20 hundred twenty (120) days following the date on which the
21 board, ~~or~~ district or local government entity filed
22 notification under this subsection.

23

1 (g) As used in this section, "local government entity"
2 means a county or municipality, and any department, agency or
3 instrumentality of a county or a municipality.

4
5 (h) The department may consider the risk to the plan
6 before allowing a local government entity to participate
7 under this section, and may, after consultation with the
8 entity and a written determination regarding the risk,
9 restrict or prohibit participation of a local government
10 entity in the plan.

11
12 **9-3-203. Definitions.**

13
14 (a) As used in this act:

15
16 (iv) "Employee" means any employee of a
17 participating school district or participating board of
18 cooperative educational services whose salary is paid by
19 funds of the district or board, any official or employee of
20 a local government entity whose salary is paid by the entity
21 or any official or employee of the state of Wyoming whose
22 salary is paid by state funds, including employees and faculty
23 members of the University of Wyoming and various community

1 colleges in the state, except persons employed on
2 intermittent, irregular, or less than halftime basis and any
3 at-will contract employee who does not meet the requirements
4 established under W.S. 9-2-1022(a)(xi)(F)(III) or (IV).
5 "Employee" shall not include employees of the agricultural
6 extension service of the University of Wyoming who hold
7 federal civil service appointments, are required to
8 participate in federal civil service retirement and who elect
9 to participate in the federal employees' health benefit
10 program as authorized in W.S. 9-3-210(d);

11

12 (xvi) "Voluntary participating employer" includes
13 a participating board of cooperative educational services,
14 ~~and a~~ participating school district or a participating local
15 government entity;

16

17 (xvii) "Local government entity" means a county or
18 municipality, and any department, agency or instrumentality
19 of a county or a municipality;

20

21 ~~(xvii)~~(xviii) "This act" means W.S. 9-3-202
22 through 9-3-218.

23

1 **9-3-210. Amount of state's contribution; estimates**
2 **submitted to state budget officer; specified employees**
3 **participation in federal program; participating employer and**
4 **resident contributions.**

5
6 (e) A participating school district or participating
7 local government entity shall pay to the department the
8 monthly premium established by the department for coverage of
9 each eligible employee or official of that district or
10 participating local government entity electing to become
11 covered by any portion of the group insurance plan. Monthly
12 premiums shall be at minimum no less than rates assessed for
13 coverage of other enrollees qualified under W.S.
14 9-3-203(a)(iv), and shall be based upon information reported
15 by the participating district or local government entity to
16 the department, to be in a form and manner prescribed by the
17 department.

18
19 **9-3-217. Advisory panel; composition; compensation.**

20
21 (a) The director of the department shall establish an
22 advisory panel consisting of active plan participants
23 employed by the state, participating school districts and

1 local government entities, the University of Wyoming and
2 Wyoming community colleges and of retired employees who are
3 plan participants. The panel shall consist of no more than
4 ten (10) members if there are less than five (5) participating
5 school districts or local government entities or no more than
6 twelve (12) members if there are at least five (5)
7 participating school districts or local government entities
8 and, insofar as possible, shall proportionally represent the
9 specified employee groups participating in the group health
10 insurance plan. The advisory panel shall be consulted
11 regarding plan benefits and costs. The director of the
12 department shall, upon receiving notification from at least
13 five (5) school districts or local government entities
14 electing group insurance plan participation under W.S.
15 9-3-201(e), appoint two (2) additional advisory panel members
16 to increase the advisory panel to twelve (12) members as
17 provided in this section.

18

19 (b) State, participating school district, local
20 government entity and university and community college
21 employee-officers and employees who serve as members of the
22 panel shall suffer no loss of wages for the time devoted to
23 attending meetings of the panel called by the department.

1 All members shall be provided per diem and travel expenses
2 incurred for attending such meetings at the rates provided
3 under W.S. 9-3-102 and 9-3-103.

4

5 **Section 2.** Notwithstanding W.S. 9-3-207, an eligible
6 officer or employee of a local government entity electing
7 participation in the state employees' and officials' group
8 insurance plan under section 1 of this act shall have
9 thirty-one (31) days from the date the local government entity
10 becomes a participating local government entity and the
11 entity's employees are eligible for participation in the
12 state plan, to elect to be enrolled or not be enrolled in the
13 group insurance plan. A participating local government
14 entity's employees shall become eligible on the date
15 notification is filed under W.S. 9-3-201(e).

16

17 **Section 3.** This act is effective immediately upon
18 completion of all acts necessary for a bill to become law as
19 provided by Article 4, Section 8 of the Wyoming Constitution.

20

21 (END)