

HOUSE BILL NO. HB0040

State employees' and officials' group insurance-membership.

Sponsored by: Joint Appropriations Interim Committee

A BILL

for

1 AN ACT relating to administration of government; providing
2 boards of cooperative educational services an option to
3 participate in the state employees' and officials' group
4 insurance plan; modifying provisions relating to voluntary
5 participation by nonstate employers; specifying
6 participation and contribution requirements and procedures
7 and implementing payment mechanisms for participating
8 boards; and providing for an effective date.

9

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

11

12 **Section 1.** W.S. 9-3-201(a), (e) and (f),
13 9-3-203(a)(iv), by creating new paragraphs (xiv), (xvi) and
14 by renumbering (xiv) as (xvii), 9-3-205(a)(xii) and by
15 creating a new paragraph (xvi), 9-3-207(b) and by creating
16 a new subsection (e), 9-3-210(a) and by creating a new
17 subsection (f), 9-3-211(a), 9-3-213(a), 21-7-301(b) and

1 21-20-108(a) by creating a new paragraph (ix) are amended
2 to read:

3

4 9-3-201. Group prepaid plans authorized; agreements
5 with insurance companies authorized; limitation on
6 authorized plans and companies; payroll deductions; self-
7 insurance programs; optional school district participation
8 in plan.

9

10 (a) The state of Wyoming and its political
11 subdivisions and school districts may obtain group prepaid
12 plans or insurance for life, health, accident or
13 hospitalization for their employees and for elected
14 officials, except for members of the legislature, and enter
15 into agreements with prepaid plans or insurance companies
16 to provide this coverage. ~~On and after July 1, 2010,~~
17 Insurance coverage for school district or board of
18 cooperative educational services employees meeting the
19 definition of employee under W.S. 9-3-203(a)(iv), shall, if
20 elected by the district or board under subsection (e) of
21 this section, be provided through the state employees' and
22 officials' group insurance plan in accordance with W.S.
23 9-3-202 through 9-3-218. ~~On and after July 1, 2010,~~
24 Insurance coverage for retired school district or board of

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

13

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

1 shall notify the electing board or district of the date on
2 which the board or district is eligible to participate in
3 the state group insurance plan. An election by a board or
4 district to participate in the state group insurance plan
5 under this subsection is irrevocable for a period of five
6 (5) years from the date on which plan participation
7 originally commenced. A board or district may renew its
8 initial participation in the state group insurance plan
9 without interruption upon submitting notification of
10 renewal to the department prior to expiration of the
11 initial five (5) year participation period. Renewal of
12 plan participation shall be irrevocable for an additional
13 period of not less than five (5) years.

14

15 (f) Any school district or board of cooperative
16 educational services which has elected to participate in
17 the state employees' and officials' group insurance plan
18 under subsection (e) of this section may, upon expiration
19 of the initial five (5) years of plan participation
20 required under subsection (e) of this section, elect to
21 cease participation in the state group insurance plan by
22 filing notification of the election to the department on a
23 form and in a manner prescribed by the department. An
24 election under this subsection shall prohibit the school

1 board or district from participation in the state group
2 insurance plan for a period of five (5) years commencing on
3 the date plan participation ceased. Participation in the
4 plan for any board or district electing to cease plan
5 participation under this subsection shall be discontinued
6 on a date determined by the department in consultation with
7 the ~~school~~board or district, but in no event later than
8 one hundred twenty (120) days following the date on which
9 the board or district filed notification under this
10 subsection.

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 ~~school district~~ funds of the district or board, or any
20 official or employee of the state of Wyoming whose salary
21 is paid by state funds, including employees and faculty
22 members of the University of Wyoming and various community
23 colleges in the state, except persons employed on
24 intermittent, irregular, or less than halftime basis and

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

9
10 (xiv) "Participating board of cooperative
11 educational services" means any board of educational
12 services formed pursuant to W.S. 21-20-104 which has
13 elected to participate in the state employees' and
14 officials' group insurance plan under W.S. 9-3-201(e) and
15 which has not discontinued plan participation pursuant to
16 an election under W.S. 9-3-201(f);

17
18 (xvi) "Voluntary participating employer"
19 includes a participating board of cooperative educational
20 services and participating school district;

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

1 9-3-205. Administration and management of group
2 insurance program; powers and duties; adoption of rules and
3 regulations; interfund borrowing authority.

4
5 (a) The department shall administer and manage the
6 state employees' and officials' group insurance program
7 and, subject to the provisions of this act:

8
9 (xii) May contract with carriers to underwrite
10 optional group insurance plans which may be additions to or
11 supplemental to those plans contracted under this act and
12 which are paid for entirely by ~~state~~—employees and
13 officials, entirely by the ~~state~~—employer, or by both. The
14 contracts shall be designed to provide the fullest benefits
15 at the lowest cost, and the department may contract with
16 the same carriers for the optional group insurance plans as
17 for the other plans contracted for under this act;

18
19 (xvi) Have authority to audit payroll records of
20 voluntary participating employers to ensure compliance with
21 requirements of this act.

1 9-3-207. Eligibility for membership in plan; state
2 employees; 31 day period to elect enrollment; new
3 employees; later enrollment.

4
5 (b) An eligible ~~state~~—employee who enters state
6 service or service of a voluntary participating employer
7 has thirty-one (31) days from the initial date of
8 employment to elect to be enrolled or not be enrolled in
9 the group insurance plan.

10
11 (e) An eligible employee of a voluntary participating
12 employer shall have thirty-one (31) days from the date the
13 employer becomes a participating employer and the employees
14 thereof are eligible for participation in the state plan, to
15 elect to be enrolled or not be enrolled in the group
16 insurance plan. A voluntary participating employer's
17 employees shall become eligible on the date the employer's
18 election is effective under W.S. 9-3-201(c).

19
20 9-3-210. Amount of state's contribution; estimates
21 submitted to state budget officer; specified employees
22 participation in federal program; participating employers
23 contributions.

1 (a) Except for voluntary participating ~~school~~
2 ~~districts~~ employers, the state shall contribute monthly the
3 amount established and appropriated by the legislature for
4 each employee and official enrolled in the plan in
5 accordance with subsections (b) and (c) of this section.

6
7 (f) A participating board of cooperative educational
8 services shall pay to the department the monthly premium
9 established by the department for coverage of each eligible
10 employee of the employer electing to become covered by any
11 portion of the group insurance plan. Additionally, each
12 participating board of cooperative educational services
13 shall pay to the department a monthly amount equal to the
14 lowest premium for nonsupplemental coverage for each
15 eligible employee of the employer not electing to become
16 covered under the nonsupplemental portion of the group
17 insurance plan. For purposes of this subsection an
18 employee shall not be considered as not electing coverage
19 if that employee is covered by other insurance with
20 benefits comparable to or greater than the coverage
21 provided by the least expensive non-supplemental plan
22 available under this act. Monthly premiums shall be at
23 minimum no less than rates assessed for coverage of other
24 enrollees qualified under W.S. 9-3-203(a)(iv), and shall be

1 based upon information reported by the participating board
2 of cooperative educational services to the department, to
3 be in a form and manner prescribed by the department.

4
5 **9-3-211. Deductions from salaries of monthly**
6 **contributions by employees and officials; establishment of**
7 **procedure.**

8
9 (a) The amount of monthly contribution to be made by
10 eligible employees and officials enrolled in the group
11 insurance plan for themselves and their dependents shall be
12 deducted from the monthly salaries of the employees and
13 officials by the various agencies or voluntary
14 participating ~~school districts~~ employers and remitted to
15 the department. The procedure for deductions and
16 remittances shall be established by the department. If a
17 flexible benefits plan is chosen, the employees' and
18 officials' contribution shall be applied to the chosen
19 benefits in an amount determined by the employee or
20 official.

21
22 **9-3-213. Treasurer of monies; bond; deposit in an**
23 **account of premium cost payments, dividend payments and**

1 **return of premiums; expenditures; investment of excess**
2 **portions.**

3

4 (a) The state treasurer shall be the treasurer of
5 monies under this act, and his general bond to the state of
6 Wyoming shall cover all liabilities for his acts as
7 treasurer. The department shall remit to the treasurer for
8 deposit into a separate account all payments received by
9 the department for the group insurance premium costs from
10 employees and officials, and the state agencies,
11 departments, institutions and voluntary participating
12 ~~school districts~~ employers. The department shall also remit
13 to the treasurer for deposit into the account any dividend
14 payments and return of premium received by the department
15 from any carrier underwriting the group insurance plan. All
16 remittances shall be made as soon as possible after they
17 are received.

18

19 **21-7-301. Insurance and other fringe and employment**
20 **benefits.**

21

22 (b) The board of trustees of each school district
23 which is a participating district in the state employees'
24 and officials' group insurance plan, as defined under W.S.

1 ~~9-3-203(a)(xv)~~ 9-3-203(a)(xvi), shall provide insurance
2 under the group plan for the teachers, administrative
3 personnel and other employees meeting the definition of
4 employee under W.S. 9-3-203(a)(iv), as provided by W.S.
5 9-3-202 through 9-3-218. Each participating school
6 district shall report to the department of administration
7 and information as specified by W.S. 9-3-205(e) and make
8 payments for employer and employee contributions as
9 provided by W.S. 9-3-210 and 9-3-211. The amount of
10 contributions paid under W.S. 9-3-211 for each employee
11 electing coverage shall be deducted from the employee's
12 monthly salary in accordance with W.S. 9-3-211.

13

14 **21-20-108. Powers and duties of board of cooperative**
15 **educational services; property; contracts; gifts, grants,**
16 **bequests or devises; employment and discharge of personnel;**
17 **expenses; bonding of employees.**

18

19 (a) Each board of trustees of cooperative educational
20 services may:

21

22 (ix) Provide insurance under the state
23 employees' and officials' group insurance plan pursuant to
24 W.S. 9-3-201(e), for board employees meeting the definition

1 of employee under W.S. 9-3-203(a)(iv), as provided by W.S.
2 9-3-202 through 9-3-218. Each participating board of
3 cooperative educational services shall report to the
4 department of administration and information as specified
5 by W.S. 9-3-205(e) and make payments for employer and
6 employee contributions as provided by W.S. 9-3-210 and
7 9-3-211. The amount of contributions paid under W.S.
8 9-3-211 for each employee electing coverage shall be
9 deducted from the employee's monthly salary in accordance
10 with W.S. 9-3-211. Nothing in this paragraph shall be
11 construed to limit the board's authority to provide
12 insurance for its employees as otherwise provided by law.

13

14 **Section 2.** This act is effective July 1, 2014.

15

16 (END)