As Introduced

132nd General Assembly Regular Session 2017-2018

H. B. No. 169

Representative Merrin

Cosponsors: Representatives Faber, Scherer, Keller, Becker, Brinkman, Riedel, Dean, Zeltwanger, Vitale, Goodman, Henne, Roegner, Butler, Hood, Brenner

A BILL

| То | amend section 124.81 and to enact section | 1 |
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| | 124.824 of the Revised Code to require, with | 2 |
| | respect to insurance contracted for or provided | 3 |
| | by the Department of Administrative Services, an | 4 |
| | individual who is not covered by a collective | 5 |
| | bargaining agreement to pay the same percentage | 6 |
| | of the premium for vision, dental, or life | 7 |
| | insurance as the individual pays for health | 8 |
| | insurance. | 9 |

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

| Section 1. That section 124.81 be amended and section | 10 |
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| 124.824 of the Revised Code be enacted to read as follows: | 11 |
| Sec. 124.81. (A) Except as provided in division (F) of | 12 |
| this section, the department of administrative services in | 13 |
| consultation with the superintendent of insurance shall | 14 |
| negotiate with and, in accordance with the competitive selection | 15 |
| procedures of Chapter 125. of the Revised Code, contract with | 16 |
| one or more insurance companies authorized to do business in | 17 |
| this state, for the issuance of one of the following: | 1.8 |

| (1) A policy of group life insurance covering all state | 19 |
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| employees who are paid directly by warrant of the state auditor, | 20 |
| including elected state officials; | 21 |
| (2) A combined policy, or coordinated policies of one or | 22 |
| more insurance companies or health insuring corporations in | 23 |
| combination with one or more insurance companies providing group | 24 |
| life and health, medical, hospital, dental, or surgical | 25 |
| insurance, or any combination thereof, covering all such | 26 |
| employees; | 27 |
| (3) A policy that may include, but is not limited to, | 28 |
| hospitalization, surgical, major medical, dental, vision, and | 29 |
| medical care, disability, hearing aids, prescription drugs, | 30 |
| group life, life, sickness, and accident insurance, group legal | 31 |
| services, or a combination of the above benefits for some or all | 32 |
| of the employees paid in accordance with section 124.152 of the | 33 |
| Revised Code and for some or all of the employees listed in | 34 |
| divisions (B)(2) and (4) of section 124.14 of the Revised Code, | 35 |
| and their immediate dependents. | 36 |
| (B) The department of administrative services in | 37 |
| consultation with the superintendent of insurance shall | 38 |
| negotiate with and, in accordance with the competitive selection | 39 |
| procedures of Chapter 125. of the Revised Code, contract with | 40 |
| one or more insurance companies authorized to do business in | 41 |
| this state, for the issuance of a policy of group life insurance | 42 |
| covering all municipal and county court judges. The amount of | 43 |
| such coverage shall be an amount equal to the aggregate salary | 44 |
| set forth for each municipal court judge in sections 141.04 and | 45 |
| 1901.11 of the Revised Code, and set forth for each county court | 46 |
| judge in sections 141.04 and 1907.16 of the Revised Code. | 47 |

(C) If Notwithstanding section 124.824 of the Revised

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Code, if a state employee uses all accumulated sick leave and
then goes on an extended medical disability, the policyholder
shall continue at no cost to the employee the coverage of the
group life insurance for such employee for the period of such
extended leave, but not beyond three years.
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- (D) If a state employee insured under a group life 54 insurance policy as provided in division (A) of this section is 55 laid off pursuant to section 124.32 of the Revised Code, such 56 employee by request to the policyholder, made no later than the 57 effective date of the layoff, may elect to continue the 58 59 employee's group life insurance for the one-year period through which the employee may be considered to be on laid-off status by 60 paying the policyholder through payroll deduction or otherwise 61 twelve times the monthly premium computed at the existing 62 average rate for the group life case for the amount of the 63 employee's insurance thereunder at the time of the employee's 64 layoff. The policyholder shall pay the premiums to the insurance 65 company at the time of the next regular monthly premium payment 66 for the actively insured employees and furnish the company 67 appropriate data as to such laid-off employees. At the time an 68 employee receives written notice of a layoff, the policyholder 69 shall also give such employee written notice of the opportunity 70 to continue group life insurance in accordance with this 71 division. When such laid-off employee is reinstated for active 72 work before the end of the one-year period, the employee shall 73 be reclassified as insured again as an active employee under the 74 group and appropriate refunds for the number of full months of 75 unearned premium payment shall be made by the policyholder. 76
- (E) This section does not affect the conversion rights of an insured employee when the employee's group insurance terminates under the policy.

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| (F) Notwithstanding division (A) of this section, the | 80 |
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| department may provide benefits equivalent to those that may be | 81 |
| paid under a policy issued by an insurance company, or the | 82 |
| department may, to comply with a collectively bargained | 83 |
| contract, enter into an agreement with a jointly administered | 84 |
| trust fund which receives contributions pursuant to a collective | 85 |
| bargaining agreement entered into between this state, or any of | 86 |
| its political subdivisions, and any collective bargaining | 87 |
| representative of the employees of this state or any political | 88 |
| subdivision for the purpose of providing for self-insurance of | 89 |
| all risk in the provision of fringe benefits similar to those | 90 |
| that may be paid pursuant to division (A) of this section, and | 91 |
| the jointly administered trust fund may provide through the | 92 |
| self-insurance method specific fringe benefits as authorized by | 93 |
| the rules of the board of trustees of the jointly administered | 94 |
| trust fund. Amounts from the fund may be used to pay direct and | 95 |
| indirect costs that are attributable to consultants or a third- | 96 |
| party administrator and that are necessary to administer this | 97 |
| section. Benefits provided under this section include, but are | 98 |
| not limited to, hospitalization, surgical care, major medical | 99 |
| care, disability, dental care, vision care, medical care, | 100 |
| hearing aids, prescription drugs, group life insurance, sickness | 101 |
| and accident insurance, group legal services, or a combination | 102 |
| of the above benefits, for the employees and their immediate | 103 |
| dependents. | 104 |
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(G) Notwithstanding any other provision of the Revised 105 Code, any public employer, including the state, and any of its 106 political subdivisions, including, but not limited to, any 107 county, county hospital, municipal corporation, township, park 108 district, school district, state institution of higher 109 education, public or special district, state agency, authority, 110

| commission, or board, or any other branch of public employment, | 111 |
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| and any collective bargaining representative of employees of the | 112 |
| state or any political subdivision may agree in a collective | 113 |
| bargaining agreement that any mutually agreed fringe benefit | 114 |
| including, but not limited to, hospitalization, surgical care, | 115 |
| major medical care, disability, dental care, vision care, | 116 |
| medical care, hearing aids, prescription drugs, group life | 117 |
| insurance, sickness and accident insurance, group legal | 118 |
| services, or a combination thereof, for employees and their | 119 |
| dependents be provided through a mutually agreed upon | 120 |
| contribution to a jointly administered trust fund. Amounts from | 121 |
| the fund may be used to pay direct and indirect costs that are | 122 |
| attributable to consultants or a third-party administrator and | 123 |
| that are necessary to administer this section. The amount, type, | 124 |
| and structure of fringe benefits provided under this division is | 125 |
| subject to the determination of the board of trustees of the | 126 |
| jointly administered trust fund. Notwithstanding any other | 127 |
| provision of the Revised Code, competitive bidding does not | 128 |
| apply to the purchase of fringe benefits for employees under | 129 |
| this division through a jointly administered trust fund. | 130 |
| Sec. 124.824. (A) An individual who is not covered by a | 131 |
| collective bargaining agreement and who receives vision, dental, | 132 |
| or life insurance contracted for or provided by the department | 133 |
| of administrative services shall pay a percentage of the premium | 134 |
| or percentage of the cost of coverage for any of those types of | 135 |
| insurance that is equal to the percentage of the premium or | 136 |
| percentage of the cost of coverage that the individual is | 137 |
| required to pay for health insurance contracted for or provided | 138 |
| by the department. | 139 |
| (B) Pursuant to Section 20 of Article II, Ohio | 140 |
| Constitution, if a change in the percentage of the premium or | 141 |

| percentage of the cost of coverage for vision, dental, or life | 142 |
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| insurance under division (A) of this section occurs during an | 143 |
| individual's term of office, that change does not apply to the | 144 |
| individual until the individual's next term of office that | 145 |
| begins after the date the change occurs. | 146 |
| (C) In negotiating a collective bargaining agreement under | 147 |
| Chapter 4117. of the Revised Code, the entity or individual who | 148 |
| negotiates on behalf of a state agency, department, board, or | 149 |
| commission shall seek to obtain a provision in the agreement | 150 |
| that requires an individual to pay a percentage of the premium | 151 |
| or percentage of the cost of coverage for vision, dental, or | 152 |
| life insurance that is equal to the percentage of the premium or | 153 |
| percentage of the cost of coverage that the individual is | 154 |
| required to pay for health insurance contracted for or provided | 155 |
| by the department. | 156 |
| Section 2. That existing section 124.81 of the Revised | 157 |
| Code is hereby repealed. | 158 |