

HOUSE BILL No. 2774

By Committee on Taxation

3-8

1 AN ACT concerning the state health care benefits program; designating
2 employees of certain charitable organizations as eligible for coverage
3 thereto; amending K.S.A. 2017 Supp. 75-6506 and 75-6508 and
4 repealing the existing sections.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2017 Supp. 75-6506 is hereby amended to read as
8 follows: 75-6506. (a) The participation of a person qualified to participate
9 in the state health care benefits program shall be voluntary, and the cost of
10 the state health care benefits program for such person shall be established
11 by the Kansas state employees health care commission.

12 (b) Periodic deductions from state payrolls may be made in
13 accordance with procedures prescribed by the secretary of administration
14 to cover the costs of the state health care benefits program payable by
15 persons who are on the state payroll when authorized by such persons. Any
16 such periodic payroll deductions in effect on an implementation date for
17 biweekly payroll periods shall be collected in the manner prescribed by the
18 secretary of administration.

19 (c) ~~(1) In the event that~~ The Kansas state employees health care
20 commission ~~designates by~~ *may designate, through rules and regulations, a*
21 *group of persons on the payroll of any of the following entities as qualified*
22 *to participate in the state employee health plan a:*

23 (A) County, township, city, special district or other local
24 governmental entity;

25 (B) public school district;

26 (C) licensed child care facility operated by a not-for-profit
27 corporation providing residential group foster care for children and
28 receiving reimbursement for all or part of such care from the Kansas
29 department for children and families;

30 (D) nonprofit community mental health center, as provided in K.S.A.
31 19-4001 et seq., and amendments thereto;

32 (E) nonprofit community facility for people with intellectual
33 disability, as provided in K.S.A. 19-4001 et seq., and amendments thereto;
34 ~~or;~~

35 (F) nonprofit independent living agency, as defined in K.S.A. 65-
36 5101, and amendments thereto; *or*

1 (G) nonprofit charitable organization that provides services or food
2 support to Kansas residents who are elderly or disabled, if such nonprofit
3 charitable organization receives 75% or more of its funding through
4 grants from the Kansas department for children and families, the Kansas
5 department for aging and disability services or the Kansas department of
6 health and environment.

7 ~~as qualified to participate in the state health care benefits program~~
8 ~~such designation is made, then periodic deductions from payrolls of the~~
9 ~~local governmental entity, public school district, licensed child care facility~~
10 ~~operated by a not-for-profit corporation providing residential group foster~~
11 ~~care for children and receiving reimbursement for all or part of such care~~
12 ~~from the Kansas department for children and families, nonprofit~~
13 ~~community mental health center, as provided in K.S.A. 19-4001 et seq.,~~
14 ~~and amendments thereto, nonprofit community facility for people with~~
15 ~~intellectual disability, as provided in K.S.A. 19-4001 et seq., and~~
16 ~~amendments thereto, or nonprofit independent living agency, as defined in~~
17 ~~K.S.A. 65-5101, and amendments thereto, entities designated in~~
18 ~~subsection (c)(1) may be made to cover the costs of the state health care~~
19 ~~benefits program payable by such persons when authorized by such~~
20 ~~persons. All such moneys deducted from payrolls shall be remitted to the~~
21 ~~Kansas state employees health care commission in accordance with the~~
22 ~~directions of the commission.~~

23 (d) Whenever the Kansas state employees health care commission
24 designates any entity listed in subsection (c) as qualified to participate in
25 the state health care benefits program, such entity's participation shall be
26 conditioned upon the following:

27 (1) At least 70% of such entity's employees shall participate in the
28 state health care plan;

29 (2) except as provided by paragraph (6) ~~of this subsection~~, the rate of
30 the premium paid by the entity as the employer's share of the total amount
31 of premium paid shall be at least equal to the rate paid by the state of
32 Kansas for its employees;

33 (3) the entity shall not create, maintain or permit any exemption from
34 participation in the state health care plan for such entity's employees;

35 (4) the rate charged to such entity shall be sufficient to pay for any
36 administrative or underwriting costs incurred by the state employees health
37 care commission;

38 (5) the rate charged to such entity shall not increase the rate of
39 premium paid by the state of Kansas for its employees;

40 (6) the entity shall elect to participate for a minimum of three
41 consecutive years in the state health care benefits program; and

42 (7) the commission may authorize an entity to pay less than the state
43 rate for the employee coverage for no more than three years and no more

1 than five years for dependent coverage on the condition that the entity
 2 elects to participate for at least three consecutive years after first paying
 3 the state rate for employee coverage.

4 Sec. 2. K.S.A. 2017 Supp. 75-6508 is hereby amended to read as
 5 follows: 75-6508. (a) (1) Each state agency—~~which~~ *that* has on its payroll
 6 persons participating in the state health care benefits program shall pay
 7 from any moneys available to the agency for such purpose an amount
 8 specified by the Kansas state employees health care commission, including
 9 any amounts prescribed under a cafeteria plan established under K.S.A.
 10 75-6512, and amendments thereto. All such payments shall continue on the
 11 behalf of employees otherwise eligible for participation in the state health
 12 care benefits program in accordance with the continuation provisions of
 13 the federal family and medical leave act of 1993, P.L. 103-03, 107 Stat. 6.
 14 The commission may charge each state agency a uniform amount per
 15 person as the cost to the agency for the state's contribution for persons
 16 participating in the state health care benefits program. Such amounts may
 17 include the costs of administering the program.

18 (2) ~~In the event that~~ *If, through rules and regulations, the Kansas*
 19 *state employees health care commission designates as qualified to*
 20 *participate in the state health care benefits program by rules and*
 21 ~~regulations~~ *a group of persons on the payroll of any of the following*
 22 *entities a:*

23 (A) County, township, city, special district or other local
 24 governmental entity;

25 (B) public school district;

26 (C) licensed child care facility operated by a not-for-profit
 27 corporation providing residential group foster care for children and
 28 receiving reimbursement for all or part of such care from the Kansas
 29 department for children and families;

30 (D) nonprofit community mental health center, as provided in K.S.A.
 31 19-4001 et seq., and amendments thereto;

32 (E) nonprofit community facility for people with intellectual
 33 disability, as provided in K.S.A. 19-4001 et seq., and amendments thereto;
 34 or;

35 (F) nonprofit independent living agency, as defined in K.S.A. 65-
 36 5101, and amendments thereto; or

37 (G) *nonprofit charitable organization that provides services or food*
 38 *support to Kansas residents who are elderly or disabled, if such nonprofit*
 39 *charitable organization receives 75% or more of its funding through*
 40 *grants from the Kansas department for children and families, Kansas*
 41 *department for aging and disability services or the Kansas department of*
 42 *health and environment.*

43 ~~as qualified to participate in the state health care benefits program;~~

1 (3) ~~Each local governmental entity, public school district, licensed~~
2 ~~child care facility operated by a not-for-profit corporation providing~~
3 ~~residential group foster care for children and receiving reimbursement for~~
4 ~~all or part of such care from the Kansas department for children and~~
5 ~~families, nonprofit community mental health center, as provided in K.S.A.~~
6 ~~19-4001 et seq., and amendments thereto, nonprofit community facility for~~
7 ~~people with intellectual disability, as provided in K.S.A. 19-4001 et seq.,~~
8 ~~and amendments thereto, or nonprofit independent living agency, as~~
9 ~~defined in K.S.A. 65-5101, and amendments thereto, which entity~~
10 ~~designated in paragraph (2) that has on its payroll persons participating in~~
11 ~~the state health care benefits program shall pay to the commission from~~
12 ~~any moneys available to the local governmental entity, public school~~
13 ~~district, licensed child care facility operated by a not-for-profit corporation~~
14 ~~providing residential group foster care for children and receiving~~
15 ~~reimbursement for all or part of such care from the Kansas department for~~
16 ~~children and families, nonprofit community mental health center, as~~
17 ~~provided in K.S.A. 19-4001 et seq., and amendments thereto, nonprofit~~
18 ~~community facility for people with intellectual disability, as provided in~~
19 ~~K.S.A. 19-4001 et seq., and amendments thereto, or nonprofit independent~~
20 ~~living agency, as defined in K.S.A. 65-5101, and amendments thereto,~~
21 ~~such entity for such purpose an amount specified by the commission. The~~
22 ~~commission may charge each local governmental entity, public school~~
23 ~~district, licensed child care facility operated by a not-for-profit corporation~~
24 ~~providing residential group foster care for children and receiving~~
25 ~~reimbursement for all or part of such care from the Kansas department for~~
26 ~~children and families, nonprofit community mental health center, as~~
27 ~~provided in K.S.A. 19-4001 et seq., and amendments thereto, nonprofit~~
28 ~~community facility for people with intellectual disability, as provided in~~
29 ~~K.S.A. 19-4001 et seq., and amendments thereto, or nonprofit independent~~
30 ~~living agency, as defined in K.S.A. 65-5101, and amendments thereto, a~~
31 ~~uniform amount per person as the cost to the local governmental entity,~~
32 ~~public school district, licensed child care facility operated by a not-for-~~
33 ~~profit corporation providing residential group foster care for children and~~
34 ~~receiving reimbursement for all or part of such care from the Kansas~~
35 ~~department for children and families, nonprofit community mental health~~
36 ~~center, as provided in K.S.A. 19-4001 et seq., and amendments thereto,~~
37 ~~nonprofit community facility for people with intellectual disability, as~~
38 ~~provided in K.S.A. 19-4001 et seq., and amendments thereto, or nonprofit~~
39 ~~independent living agency, as defined in K.S.A. 65-5101, and amendments~~
40 ~~thereto, for the contribution of the local governmental entity, public school~~
41 ~~district, licensed child care facility operated by a not-for-profit corporation~~
42 ~~providing residential group foster care for children and receiving~~
43 ~~reimbursement for all or part of such care from the Kansas department for~~

1 ~~children and families, nonprofit community mental health center, as~~
2 ~~provided in K.S.A. 19-4001 et seq., and amendments thereto, nonprofit~~
3 ~~community facility for people with intellectual disability, as provided in~~
4 ~~K.S.A. 19-4001 et seq., and amendments thereto, or nonprofit independent~~
5 ~~living agency, as defined in K.S.A. 65-5101, and amendments thereto,~~
6 ~~such entity~~ for persons participating in the state health care benefits
7 program. Such amounts may include the costs of administering the
8 program.

9 (b) Payments from public funds for coverage under the state health
10 care benefits program for persons participating in that program shall not be
11 deemed a payment or supplement of wages of such person notwithstanding
12 any other provision of law or rules and regulations relating to wages of any
13 such person.

14 Sec. 3. K.S.A. 2017 Supp. 75-6506 and 75-6508 are hereby repealed.

15 Sec. 4. This act shall take effect and be in force from and after its
16 publication in the statute book.