

1 ENGROSSED SENATE
2 BILL NO. 473

By: Paxton of the Senate

and

Hilbert of the House

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6 An Act relating to Oklahoma Employees Insurance and
7 Benefits Act; amending 74 O.S. 2021, Section 1308.1,
8 which relates to insurance benefits for education
9 employees; updating statutory language; removing
10 language allowing certain employee to retain certain
11 coverage during certain absence; providing an
12 effective date; and declaring an emergency.

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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 74 O.S. 2021, Section 1308.1, is
14 amended to read as follows:

15 Section 1308.1. ~~(1)~~ A. An educational entity may extend the
16 benefits of the health insurance plan, the dental insurance plan,
17 and the life insurance plan to education employees employed by the
18 entity. The benefits of the plans for an education employee shall
19 be the same and shall include the same plan options as would be made
20 available to a state employee participating in the plan that resided
21 at the same location. Notwithstanding the provisions of Section
22 1308.2 of this title, a period shall exist for enrolling education
23 entities from April 1, 1989, through October 1, 1991, whereby
24 education employees of a participating education entity may be

1 enrolled, ~~pursuant to this act,~~ during the entities' initial
2 enrollment period, regardless of preexisting conditions. The Office
3 of Management and Enterprise Services shall adopt rules and
4 regulations for enrollment by which education entities may apply to
5 participate in the insurance plans. Once an education entity
6 becomes a participant in the health and dental insurance plans
7 offered through the Oklahoma Employees Insurance and Benefits Act,
8 the education entity may withdraw from participation, in a manner
9 prescribed by the Office. If a school district is participating in
10 the health and dental insurance plans pursuant to the Oklahoma
11 Employees Insurance and Benefits Act, Sections 1301 through 1329.1
12 of this title, the employees of the school district who are eligible
13 to participate in the health and dental plans, at such time as the
14 school district may withdraw from such participation, may require
15 the board of education of the school district to call an election to
16 allow the employees to vote as to whether the school district shall
17 continue participation in the health and dental insurance plans
18 offered through the Oklahoma Employees Insurance and Benefits Act.
19 Upon the filing with the board of education of a petition calling
20 for such an election which is signed by no less than thirty percent
21 (30%) of the eligible employees of the school district, the board of
22 education shall call an election for the purpose of determining
23 whether the school district shall continue participation in the
24 health and dental insurance plans offered through the Oklahoma

1 Employees Insurance and Benefits Act. The election shall be held
2 within thirty (30) days of the filing of the petition. If a
3 majority of those eligible employees voting at the election vote to
4 continue participation in the health and dental insurance plans
5 offered through the Oklahoma Employees Insurance and Benefits Act,
6 the board of education shall be prohibited from withdrawing the
7 school district from such participation. If a majority of those
8 eligible employees voting at the election vote against continued
9 participation in the health and dental insurance plans offered
10 through the Oklahoma Employees Insurance and Benefits Act, the board
11 of education of the school district shall apply to discontinue such
12 participation within thirty (30) days of the election and within the
13 times the school district is authorized to withdraw from
14 participation in accordance with rules established for withdrawal by
15 the Office.

16 ~~(2)~~ B. Except as otherwise provided in this subsection, when an
17 education entity participates in the health and dental insurance
18 plans offered through the Oklahoma Employees Insurance and Benefits
19 Act, all employees shall be advised of ~~Health Maintenance~~
20 ~~Organizations~~ health maintenance organizations (HMO) prepaid plans
21 available as an alternative to the state self-insured health
22 insurance plan. Eligible part-time education employees, at the
23 option of the employee, may enroll in the plans either at the time
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1 the education entity begins participation in the plans or, if later,
2 upon a showing of insurability to the satisfaction of the Office.

3 ~~(3)~~ C. Any employee of an education entity participating in the
4 health and dental insurance plans offered through the Oklahoma
5 Employees Insurance and Benefits Act who is employed after the
6 education entity began ~~said~~ participation may be enrolled in the
7 health and dental insurance plans or HMO plans approved by the
8 Office on the first day of the second month of employment.

9 ~~(4)~~ D. Upon initial enrollment of an institution of higher
10 education to participate in the health and dental insurance plans
11 offered through the Oklahoma Employees Insurance and Benefits Act,
12 all individuals presently insured by ~~said~~ the institution's present
13 group health insurance plan shall become enrolled in ~~said~~ state
14 plans for the remaining period of ~~said~~ the institution's contractual
15 liabilities.

16 ~~(5) Education employees who shall be absent from the teaching~~
17 ~~service because of election or appointment as a local, state, or~~
18 ~~national education association officer shall be allowed to retain~~
19 ~~coverage pursuant to the Oklahoma Employees Insurance and Benefits~~
20 ~~Act upon the payment of the full cost of the coverage at the rate~~
21 ~~and under such terms and conditions established by the Office.~~

22 ~~(6)~~ E. Except as otherwise provided by law, an educational
23 entity may cease to participate in the Oklahoma Employees Insurance
24 and Benefits Act but provide health insurance coverage through

1 another insurance carrier. The subsequent carrier shall provide
2 coverage to the employees of the educational entity who terminated
3 employment with a retirement benefit, with a vested benefit, or who
4 have ten (10) or more years of service with a participating
5 educational entity but did not have a vested benefit through the
6 retirement system of the educational entity, if the election to
7 retain health insurance coverage was made within thirty (30) days of
8 termination of employment. Coverage shall also be provided to the
9 eligible dependents of the employees if an election to retain
10 coverage is made within thirty (30) days of termination of
11 employment.

12 SECTION 2. This act shall become effective July 1, 2023.

13 SECTION 3. It being immediately necessary for the preservation
14 of the public peace, health, or safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

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1 Passed the Senate the 20th day of March, 2023.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2023.

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9 Presiding Officer of the House
10 of Representatives