

SENATE FILE NO. SF0079

Employee group insurance-local governments.

Sponsored by: Senator(s) Rothfuss and Von Flatern and
Representative(s) Brown, Gray, Obermueller
and 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

1 9-3-201. Group prepaid plans authorized; agreements
2 with insurance companies authorized; limitation on authorized
3 plans and companies; payroll deductions; self-insurance
4 programs; optional local government participation in plan.

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

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

13

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

1 this subsection and shall be identical to plans and coverage
2 provided other enrollees under this act. The department shall
3 notify the electing board, ~~or district~~ or local government
4 entity of the date on which the board, ~~or district~~ or local
5 government entity is eligible to participate in the state
6 group insurance plan. An election by a board, ~~or district~~ or
7 local government entity to participate in the state group
8 insurance plan under this subsection is irrevocable for a
9 period of five (5) years from the date on which plan
10 participation originally commenced. In addition to all other
11 remedies available to the department, if a district, ~~or board~~
12 or local government entity withdraws from the state group
13 insurance plan during the period of irrevocability, the
14 department may assess against the withdrawing board, ~~or~~
15 district or local government entity the amount by which all
16 claims paid on behalf of employees of the board, ~~or district~~
17 or local government entity exceeds total premiums paid by the
18 board, ~~or district~~ or local government entity and their
19 employees. A board, ~~or district~~ or local government entity
20 may renew its initial participation in the state group
21 insurance plan without interruption upon submitting
22 notification of renewal to the department prior to expiration
23 of the initial five (5) year participation period. Renewal of

1 plan participation shall be irrevocable for an additional
2 period of not less than five (5) years.

3

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

1 board, ~~or~~ district or local government entity filed
2 notification under this subsection.

3

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

7

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

14

15 **9-3-203. Definitions.**

16

17 (a) As used in this act:

18

19 (iv) "Employee" means any employee of a
20 participating school district or participating board of
21 cooperative educational services whose salary is paid by
22 funds of the district or board, any official or employee of
23 a local government entity whose salary is paid by the entity

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

14

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

19

20 (xvii) "Local government entity" means a county or
21 municipality, and any department, agency or instrumentality
22 of a county or a municipality;

23

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

3

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

8

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

21

22 **9-3-217. Advisory panel; composition; compensation.**

23

1 (a) The director of the department shall establish an
2 advisory panel consisting of active plan participants
3 employed by the state, participating school districts and
4 local government entities, the University of Wyoming and
5 Wyoming community colleges and of retired employees who are
6 plan participants. The panel shall consist of no more than
7 ten (10) members if there are less than five (5) participating
8 school districts or local government entities or no more than
9 twelve (12) members if there are at least five (5)
10 participating school districts or local government entities
11 and, insofar as possible, shall proportionally represent the
12 specified employee groups participating in the group health
13 insurance plan. The advisory panel shall be consulted
14 regarding plan benefits and costs. The director of the
15 department shall, upon receiving notification from at least
16 five (5) school districts or local government entities
17 electing group insurance plan participation under W.S.
18 9-3-201(e), appoint two (2) additional advisory panel members
19 to increase the advisory panel to twelve (12) members as
20 provided in this section.

21

22 (b) State, participating school district, local
23 government entity and university and community college

1 ~~employee~~officers and employees who serve as members of the
2 panel shall suffer no loss of wages for the time devoted to
3 attending meetings of the panel called by the department.
4 All members shall be provided per diem and travel expenses
5 incurred for attending such meetings at the rates provided
6 under W.S. 9-3-102 and 9-3-103.

7

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

19

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

4

5

(END)