

# Senate Bill 167

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes Public Employees' Benefit Board to allow certain nurses and nurse educators to participate in self-pay group benefit plans.

## A BILL FOR AN ACT

1  
2 Relating to participation in self-pay groups for benefit plans administered by Public Employees'  
3 Benefit Board; amending ORS 243.105 and 243.200.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 243.200 is amended to read:

6 243.200. (1)(a) The Public Employees' Benefit Board may allow self-pay groups to participate in  
7 benefit plans available to eligible state employees, if the group meets a minimum participation level  
8 equal to 75 percent of the persons in the group.

9 **(b) Notwithstanding paragraph (a) of this subsection, the board may allow nurses or**  
10 **nurse educators who are employed less than half-time by a state agency or university and**  
11 **who are not otherwise eligible for a state contribution for benefits to participate in a self-pay**  
12 **group without any minimum participation level of persons in the group.**

13 (2) Nothing in subsection (1) of this section applies to:

14 (a) Any person or group of persons similarly situated exempted by state or federal law from any  
15 minimum participation requirement; or

16 (b) Any person or group of persons participating prior to January 1, 1992, in a benefit plan that  
17 was offered by the State Employees' Benefit Board.

18 (3) As used in subsection (1) of this section, "self-pay group" means a group of persons other  
19 than state employees for whom the state makes no contributions for benefit plans under ORS 243.105  
20 to 243.285.

21 **SECTION 2.** ORS 243.105 is amended to read:

22 243.105. As used in ORS 243.105 to 243.285, unless the context requires otherwise:

23 (1) "Benefit plan" includes, but is not limited to:

24 (a) Contracts for insurance or other benefits, including medical, dental, vision, life, disability and  
25 other health care recognized by state law, and related services and supplies;

26 (b) Comparable benefits for employees who rely on spiritual means of healing; and

27 (c) Self-insurance programs managed by the Public Employees' Benefit Board.

28 (2) "Board" means the Public Employees' Benefit Board.

29 (3) "Carrier" means an insurance company or health care service contractor holding a valid  
30 certificate of authority from the Director of the Department of Consumer and Business Services, or

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 two or more companies or contractors acting together pursuant to a joint venture, partnership or  
 2 other joint means of operation, or a board-approved guarantor of benefit plan coverage and com-  
 3 pensation.

4 (4)(a) “Eligible employee” means an officer or employee of a state agency who elects to partic-  
 5 ipate in one of the group benefit plans described in ORS 243.135. The term includes state officers  
 6 and employees in the exempt, unclassified and classified service, and state officers and employees,  
 7 whether or not retired, who:

8 (A) Are receiving a service retirement allowance, a disability retirement allowance or a pension  
 9 under the Public Employees Retirement System or are receiving a service retirement allowance, a  
 10 disability retirement allowance or a pension under any other retirement or disability benefit plan  
 11 or system offered by the State of Oregon for its officers and employees;

12 (B) Are eligible to receive a service retirement allowance under the Public Employees Retire-  
 13 ment System and have reached earliest retirement age under ORS chapter 238;

14 (C) Are eligible to receive a pension under ORS 238A.100 to 238A.245, and have reached earliest  
 15 retirement age as described in ORS 238A.165; or

16 (D) Are eligible to receive a service retirement allowance or pension under another retirement  
 17 benefit plan or system offered by the State of Oregon and have attained earliest retirement age  
 18 under the plan or system.

19 (b) “Eligible employee” does not include individuals:

20 (A) Engaged as independent contractors;

21 (B) Whose periods of employment in emergency work are on an intermittent or irregular basis;

22 (C) Who are employed on less than half-time basis unless the individuals are employed in posi-  
 23 tions classified as job-sharing positions, unless the individuals are defined as eligible under rules of  
 24 the board [*or unless the individuals are employed as nurses or nursing educators*];

25 (D) Appointed under ORS 240.309;

26 (E) Provided sheltered employment or make-work by the state in an employment or industries  
 27 program maintained for the benefit of such individuals; or

28 (F) Provided student health care services in conjunction with their enrollment as students at the  
 29 state institutions of higher education.

30 (5) “Family member” means an eligible employee’s spouse and any unmarried child or stepchild  
 31 within age limits and other conditions imposed by the board with regard to unmarried children or  
 32 stepchildren.

33 (6) “Payroll disbursing officer” means the officer or official authorized to disburse moneys in  
 34 payment of salaries and wages of employees of a state agency.

35 (7) “Premium” means the monthly or other periodic charge for a benefit plan.

36 (8) “State agency” means every state officer, board, commission, department or other activity  
 37 of state government.

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