

House Bill 2647

Sponsored by Representative DOHERTY (Pre-session filed.)

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**.

Prohibits Oregon Educators Benefit Board from charging fee to opt out of coverage.

A BILL FOR AN ACT

1
2 Relating to limitation on ability of Oregon Educators Benefit Board to charge a fee to opt out of
3 coverage; amending ORS 243.886.

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

5 **SECTION 1.** ORS 243.886 is amended to read:

6 243.886. (1) Except as provided in subsections (2), (3) and (4) of this section, a district may not
7 provide or contract for a benefit plan and eligible employees of districts may not participate in a
8 benefit plan unless the benefit plan:

9 (a) Is provided and administered by the Oregon Educators Benefit Board under ORS 243.860 to
10 243.886; or

11 (b) Is offered through the health insurance exchange under ORS 741.310 (1)(b)(B).

12 (2)(a) Except for community college districts, a district that was self-insured before January 1,
13 2007, or a district that had an independent health insurance trust established and functioning before
14 January 1, 2007, may provide or contract for benefit plans other than benefit plans provided and
15 administered by the board if the premiums for the benefit plans provided or contracted for by the
16 district are equal to or less than the premiums for comparable benefit plans provided and adminis-
17 tered by the board.

18 (b) A community college district may provide or contract for benefit plans other than benefit
19 plans provided and administered by the board.

20 (c) In accordance with procedures adopted by the board to extend benefit plan coverage under
21 ORS 243.864 to 243.874 to eligible employees of a self-insured district, a district with an independent
22 health insurance trust or a community college district, these districts may choose to offer benefit
23 plans that are provided and administered by the board. Once employees of a district participate in
24 benefit plans provided and administered by the board, the district may not thereafter provide or
25 contract for benefit plans other than those provided and administered by the board. **The board may
26 not charge a fee to opt out of coverage.**

27 (3)(a) A district, other than a district claiming the exception in subsection (2)(a) of this section,
28 that has not offered benefit plans provided and administered by the board before June 23, 2009, may
29 provide or contract for benefit plans other than benefit plans provided and administered by the
30 board if the premiums for the benefit plans provided or contracted for by the district are equal to
31 or less than the premiums for comparable benefit plans provided and administered by the board.
32 Once employees of a district or an employee group within a district participates in benefit plans

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 provided and administered by the board, the district may not thereafter provide or contract for
2 benefit plans for those employees or employee groups other than those provided and administered
3 by the board. **The board may not charge a fee to opt out of coverage.**

4 (b) If requested by the district or a labor organization representing eligible employees of the
5 district, the board shall perform an actuarial analysis of the district.

6 (c) As used in this subsection, "district" does not include a community college district.

7 (4) Nothing in ORS 243.860 to 243.886 may be construed to expand or contract collective bar-
8 gaining rights or collective bargaining obligations.

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