

House Bill 2037

Introduced and printed pursuant to House Rule 12.00. Presession filed (at the request of Governor Kate Brown for Oregon Health Authority)

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**.

Allows Public Employees' Benefit Board and Oregon Educators Benefit Board to make available long term care insurance plans at boards' discretion rather than as statutory requirement.

A BILL FOR AN ACT

1
2 Relating to state benefit boards' provision of long term care insurance plans; amending ORS 243.291,
3 243.296, 243.870 and 243.872.

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

5 **SECTION 1.** ORS 243.291 is amended to read:

6 243.291. (1) The Public Employees' Benefit Board *[shall]* **may** make available one or more fully
7 insured long term care insurance plans. The plans *[shall]* **may** be made available to eligible em-
8 ployees, retired employees and family members. Notwithstanding ORS 243.105, for purposes of this
9 subsection, "family members" includes family members as defined by the board and also includes the
10 parents of the employee or retiree and the parents of the spouse of the employee or retiree.

11 (2) Employees of local governments and employees of political subdivisions may participate in
12 the plans under terms and conditions established by the board, if it does not jeopardize the financial
13 viability of the board's long term care insurance plans. However, unless the local government or
14 political subdivision provides otherwise, the employee's participation is a personal action of the
15 employee and does not obligate the local government or political subdivision to pay for the provision
16 of benefits under this subsection.

17 (3) Participation of eligible employees or retired employees in any long term care insurance plan
18 made available by the board is voluntary and is subject to reasonable underwriting guidelines and
19 eligibility rules established by the board.

20 (4) The employee or retired employee is solely responsible for the payment of the long term care
21 premium rates developed by the board. The board is authorized to charge a reasonable administra-
22 tive fee, in addition to the premium charged by the long term care insurer, to cover the cost of ad-
23 ministration and consumer education materials.

24 **SECTION 2.** ORS 243.296 is amended to read:

25 243.296. *[(1) The Public Employees' Benefit Board shall develop effective and cost-effective ways to*
26 *make the long term care insurance plans described under ORS 243.291 available.]*

27 *[(2) The board, in consultation with the Public Employees Retirement System, shall develop long*
28 *term care insurance plan design, eligibility rules, underwriting principles and educational materials in*
29 *order to:]*

30 *[(a) Allow eligible employees to continue to participate in the plans after retirement; and]*

31 *[(b) Allow former eligible employees to enroll in the plans after retirement.]*

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 *[(3) The board's education program for the eligible employees and retired employees shall provide*
 2 *information on the potential need for long term care, methods of financing long term care and the*
 3 *availability of long term care insurance plans offered by the board.]*

4 **(1) If the Public Employees' Benefit Board offers a long term care insurance plan under**
 5 **ORS 243.291, the board shall:**

6 **(a) Develop effective and cost-effective ways to make the plan available;**

7 **(b) In consultation with the Public Employees Retirement System, develop plan specifi-**
 8 **cations, eligibility rules, underwriting guidelines and consumer educational materials; and**

9 **(c) Ensure that eligible employees may continue to participate in the plan after retire-**
 10 **ment and former eligible employees may enroll in the plan after retirement.**

11 **(2) The educational materials that the board develops for eligible employees and retired**
 12 **employees under subsection (1) of this section shall provide information on the potential need**
 13 **for long term care, methods of financing long term care and the availability of long term**
 14 **care insurance plans offered by the board.**

15 **SECTION 3.** ORS 243.870 is amended to read:

16 243.870. (1) The Oregon Educators Benefit Board *[shall]* **may** make available to eligible em-
 17 ployees and family members one or more fully insured long term care benefit plans. Notwithstanding
 18 ORS 243.860, for purposes of this subsection, "family member" includes family members, as defined
 19 by the board, the parents of the eligible employee and the parents of the spouse or domestic partner
 20 of the eligible employee.

21 (2) Participation of eligible employees in any long term care benefit plan made available by the
 22 board is voluntary and is subject to reasonable underwriting guidelines and eligibility rules estab-
 23 lished by the board.

24 (3) Unless otherwise agreed to by the employer, the eligible employee is responsible for the
 25 payment of the long term care benefit plan premium developed by the board.

26 **SECTION 4.** ORS 243.872 is amended to read:

27 243.872. *[(1) The Oregon Educators Benefit Board shall develop effective and cost-effective ways to*
 28 *make available the long term care benefit plans described in ORS 243.870.]*

29 *[(2) The board, in consultation with the Public Employees Retirement System, shall develop long*
 30 *term care benefit plan specifications, eligibility rules, underwriting guidelines and consumer educa-*
 31 *tional materials.]*

32 *[(3) The board's educational materials for eligible employees shall provide information on the po-*
 33 *tential need for long term care, methods of financing long term care and the availability of long term*
 34 *care benefit plans offered by the board.]*

35 **(1) If the Oregon Educators Benefit Board offers a long term care benefit plan under ORS**
 36 **243.870, the board shall:**

37 **(a) Develop effective and cost-effective ways to make the plan available; and**

38 **(b) In consultation with the Public Employees Retirement System, develop plan specifi-**
 39 **cations, eligibility rules, underwriting guidelines and consumer educational materials.**

40 **(2) The educational materials that the board develops for eligible employees under sub-**
 41 **section (1) of this section shall provide information on the potential need for long term care,**
 42 **methods of financing long term care and the availability of long term care benefit plans of-**
 43 **fered by the board.**