

SENATE AMENDMENTS TO SENATE BILL 852

By COMMITTEE ON EDUCATION

April 11

1 In line 2 of the printed bill, delete “and”.

2 In line 3, after “350.355” insert “; and declaring an emergency”.

3 Delete lines 5 through 24 and insert:

4 “**SECTION 1.** ORS 350.355 is amended to read:

5 “350.355. (1) [*Subject to ORS 352.237 and any group health and welfare insurance benefit plan*
6 *developed under ORS 352.237,*] A part-time faculty member at a public institution of higher education
7 is eligible for [*the same*] health care benefits as [*full-time faculty members*] **provided in this section**
8 if the part-time faculty member is eligible for membership in the Public Employees Retirement Sys-
9 tem or another plan authorized under ORS chapter 238 or 238A by teaching either at a single public
10 institution of higher education or in aggregate at multiple public institutions of higher education
11 during the prior year.

12 “(2)(a) **Except as provided in subsection (3) of this section,** a part-time faculty member at a
13 public institution of higher education shall pay: [*all insurance premiums for health care benefits un-*
14 *less otherwise provided for by the policy of the institution or by collective bargaining at the*
15 *institution.*]

16 “(A) **For employee-only coverage, 10 percent of the insurance premiums for health ben-**
17 **efit plans.**

18 “(B) **For employee and dependent coverage, 10 percent of the insurance premiums for**
19 **health benefit plans the employee would have paid for employee-only coverage plus 50 percent**
20 **of the difference in the cost of insurance premiums for employee-only coverage and employee**
21 **and dependent coverage.**

22 “(b) **The state shall pay, out of funds appropriated to the Oregon Educators Benefit**
23 **Board by the Legislative Assembly, for the cost of the insurance premiums for health benefit**
24 **plans described in paragraph (a) of this subsection that are not paid by a part-time faculty**
25 **member.**

26 “(3) **A public institution of higher education may agree through collective bargaining to**
27 **pay some or all of the premiums a part-time faculty member is required to pay under sub-**
28 **section (2)(a) of this section.**

29 “(4)(a) **Prior to each annual open enrollment period during which part-time faculty**
30 **members may select health benefit plans, the board shall determine whether the board has**
31 **received sufficient appropriations to make the payments described in subsection (2)(b) of this**
32 **section.**

33 “(b) **If the board determines that it has not received sufficient appropriations:**

34 “(A) **A public institution of higher education is not required to provide moneys for the**
35 **cost of the insurance premiums for health benefit plans described in subsection (2)(b) of this**

1 section; and

2 “(B) The board may, to the extent the board determines is necessary, increase the per-
3 centages specified in subsection (2)(a) of this section that a part-time faculty member is re-
4 quired to pay to receive a health benefit plan.

5 “(5) A part-time faculty member at a public institution of higher education who is eligible
6 for health care benefits under subsection (1) of this section may receive health care benefits
7 only in the manner provided by this section.

8 “(6) The board may make rules to implement this section, including which health benefit
9 plans are offered to part-time faculty members under this section and how the health benefit
10 plans that are offered are selected.

11 “SECTION 2. A public institution of higher education that, on the effective date of this
12 2019 Act, provided health care benefits to part-time faculty members who are not eligible for
13 health benefit plans under the amendments to ORS 350.355 by section 1 of this 2019 Act:

14 “(1) May not increase the eligibility requirements that must be met by a part-time fac-
15 ulty member who is not eligible for health benefit plans under the amendments to ORS
16 350.355 by section 1 of this 2019 Act in order for the part-time faculty member to qualify for
17 health care benefits from the institution; and

18 “(2) Must continue to provide comparable health care benefits to part-time faculty
19 members who are not eligible for health benefit plans under the amendments to ORS 350.355
20 by section 1 of this 2019 Act.

21 “SECTION 3. Any realized savings by a public institution of higher education as a result
22 of the amendments to ORS 350.355 by section 1 of this 2019 Act are considered employment
23 relations for purposes of collective bargaining under ORS 243.650 to 243.782.

24 “SECTION 4. The Part-Time Faculty Insurance Fund is established in the State Treasury,
25 separate and distinct from the General Fund. Interest earned by the Part-Time Faculty In-
26 surance Fund must be credited to the fund. The fund consists of moneys appropriated, allo-
27 cated, deposited or transferred to the fund by the Legislative Assembly or otherwise and
28 interest earned on moneys in the fund. The moneys in the fund are continuously appropri-
29 ated to the Oregon Educators Benefit Board for the purpose of paying premiums for health
30 benefit plans for part-time faculty under ORS 350.355.

31 “SECTION 5. There is appropriated to the Oregon Educators Benefit Board, for the
32 biennium beginning July 1, 2019, out of the General Fund, the amount of \$_____ for deposit
33 in the Part-Time Faculty Insurance Fund established in section 4 of this 2019 Act, for the
34 purposes specified in section 4 of this 2019 Act.

35 “SECTION 6. (1) Except as provided in subsection (2) of this section, the amendments to
36 ORS 350.355 by section 1 of this 2019 Act apply to health benefit plans offered to part-time
37 faculty members on or after October 1, 2020.

38 “(2) To the extent that a conflict exists, the terms of collective bargaining agreements
39 and other contracts entered into before the effective date of this 2019 Act shall prevail over
40 the amendments to ORS 350.355 by section 1 of this 2019 Act.

41 “SECTION 7. The Oregon Educators Benefit Board shall, before the applicability date
42 specified in section 6 of this 2019 Act, take any actions necessary to implement the amend-
43 ments to ORS 350.355 by section 1 of this 2019 Act on the applicability date specified in sec-
44 tion 6 of this 2019 Act.

45 “SECTION 8. This 2019 Act being necessary for the immediate preservation of the public

1 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
2 **on its passage.”**

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