

HOUSE BILL No. 2733

By Committee on Appropriations

3-11

1 AN ACT concerning the state health care benefits program; relating to the
2 powers of the Kansas state employees health care commission;
3 requiring legislative approval before changing coverage options;
4 establishing qualified participants; amending K.S.A. 2015 Supp. 75-
5 6501 and repealing the existing section.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2015 Supp. 75-6501 is hereby amended to read as
9 follows: 75-6501. (a) Within the limits of appropriations made or available
10 therefor and subject to the provisions of appropriation acts relating thereto,
11 the Kansas state employees health care commission shall develop and
12 provide for the implementation and administration of a state health care
13 benefits program.

14 (b) (1) Subject to the provisions of paragraph (2), the state health care
15 benefits program may provide benefits for persons qualified to participate
16 in the program for hospitalization, medical services, surgical services,
17 nonmedical remedial care and treatment rendered in accordance with a
18 religious method of healing and other health services. The program may
19 include such provisions as are established by the Kansas state employees
20 health care commission, including, but not limited to, qualifications for
21 benefits, services covered, schedules and graduation of benefits,
22 conversion privileges, deductible amounts, limitations on eligibility for
23 benefits by reason of termination of employment or other change of status,
24 leaves of absence, military service or other interruptions in service and
25 other reasonable provisions as may be established by the commission.
26 *Beginning July 1, 2016, the Kansas state employees health care*
27 *commission shall maintain available coverage options of at least one*
28 *preferred provider organization plan and at least one high deductible*
29 *plan. Coverage options under each plan type shall remain consistent with*
30 *2016 plan year levels. No coverage option existing in the 2016 plan year*
31 *may be altered or substantially changed without prior specific*
32 *authorization by an act of the legislature. Additional coverage options*
33 *may be made available at the commission's discretion.*

34 (2) The state health care benefits program shall provide the benefits
35 and services required by K.S.A. 2015 Supp. 75-6524, and amendments
36 thereto.

1 (c) *All active and retired public officers and employees and their*
2 *dependents who were qualified to participate in the state health care*
3 *benefits program for the 2016 plan year shall be qualified to participate in*
4 *the state health care benefits program in subsequent plan years.* The
5 Kansas state employees health care commission shall designate by rules
6 and regulations ~~those other~~ persons who are qualified to participate in the
7 state health care benefits program, ~~including active and retired public~~
8 ~~officers and employees and their dependents~~ as defined by rules and
9 regulations of the commission. Such rules and regulations shall not apply
10 to students attending a state educational institution as defined in K.S.A.
11 76-711, and amendments thereto, who are covered by insurance contracts
12 entered into by the board of regents pursuant to K.S.A. 75-4101, and
13 amendments thereto. In designating persons qualified to participate in the
14 state health care benefits program, the commission may establish such
15 conditions, restrictions, limitations and exclusions as the commission
16 deems reasonable. Such conditions, restrictions, limitations and exclusions
17 shall include the conditions contained in ~~subsection (d) of~~ K.S.A. 75-
18 6506(d), and amendments thereto. Each person who was formerly elected
19 or appointed and qualified to an elective state office and who was covered
20 immediately preceding the date such person ceased to hold such office by
21 the provisions of group health insurance or a health maintenance
22 organization plan under the law in effect prior to August 1, 1984, or the
23 state health care benefits program in effect after that date, shall continue to
24 be qualified to participate in the state health care benefits program and
25 shall pay the cost of participation in the program as established and in
26 accordance with the procedures prescribed by the commission if such
27 person chooses to participate therein.

28 (d) (1) Commencing with the 2009 plan year that begins January 1,
29 2009, if a state employee elects the high deductible health plan and health
30 savings account, the state's employer contribution shall equal the state's
31 contribution to any other health benefit plan offered by the state. The cost
32 savings to the state for the high deductible health plan shall be deposited
33 monthly into the employee's health savings account up to the maximum
34 annual amount allowed pursuant to ~~subsection (d) of~~ 26 U.S.C. § 223(d),
35 as amended, for as long as the employee participates in the high deductible
36 plan.

37 (2) If the employee had not previously participated in the state health
38 benefits plan, the employer shall calculate the average savings to the
39 employer of the high deductible plan compared to the other available plans
40 and contribute that amount monthly to the employee's health savings
41 account up to the maximum annual amount allowed pursuant to ~~subsection~~
42 ~~(d) of~~ 26 U.S.C. § 223(d), as amended.

43 (3) The employer shall allow additional voluntary contributions by

1 the employee to their health savings account by payroll deduction up to the
2 maximum annual amount allowed pursuant to ~~subsection (d)~~ of 26 U.S.C.
3 § 223(d), as amended.

4 (e) The commission shall have no authority to assess charges for
5 employer contributions under the student health care benefits component
6 of the state health care benefits program for persons who are covered by
7 insurance contracts entered into by the board of regents pursuant to K.S.A.
8 75-4101, and amendments thereto.

9 (f) Nothing in this act shall be construed to permit the Kansas state
10 employees health care commission to discontinue the student health care
11 benefits component of the state health care benefits program until the state
12 board of regents has contracts in effect that provide student coverage
13 pursuant to the authority granted therefor in K.S.A. 75-4101, and
14 amendments thereto.

15 Sec. 2. K.S.A. 2015 Supp. 75-6501 is hereby repealed.

16 Sec. 3. This act shall take effect and be in force from and after its
17 publication in the statute book.