

HOUSE BILL No. 2850

By Representatives Kirk, Burgess, Flora, Gordon, Kuether,
Lane and Toelkes

2-11

10 AN ACT concerning the state health care benefits program; relating to
11 costs of participation by certain medicare-eligible persons; amending
12 K.S.A. 75-6508 and repealing the existing section.
13

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

15 Section 1. K.S.A. 75-6508 is hereby amended to read as follows: 75-
16 6508. (a) ~~(1)~~ Each state agency which has on its payroll persons partici-
17 pating in the state health care benefits program shall pay from any moneys
18 available to the agency for such purpose an amount specified by the Kan-
19 sas state employees health care commission, including *the amount deter-*
20 *mined under subsection (b) and* any amounts prescribed under a cafeteria
21 plan established under K.S.A. 75-6512, and amendments thereto. All such
22 payments shall continue on the behalf of employees otherwise eligible for
23 participation in the state health care benefits program in accordance with
24 the continuation provisions of the federal family and medical leave act of
25 1993, P.L. 103-03, 107 Stat. 6. The commission may charge each state
26 agency a uniform amount per person as the cost to the agency for the
27 state's contribution for persons participating in the state health care ben-
28 efits program. Such amounts may include the costs of administering the
29 program.

30 ~~(2)~~ (b) (1) *Effective for the plan year beginning January 1, 2004,*
31 *during the period from July 1, 2004, through December 31, 2004, and for*
32 *each plan year thereafter, subject to the other provisions of this subsection,*
33 *the costs of the state health care benefits program that are payable by*
34 *persons participating in the program shall be reduced for those individ-*
35 *uals designated under paragraph (2) of this subsection by the amount*
36 *equal to 75% of the difference between the following:*

37 (A) *the single-person premium for the lowest-cost option offered to*
38 *medicare-eligible participants under the state of Kansas health care ben-*
39 *efits program for the current plan year; and*

40 (B) *the single-person premium for the lowest-cost option for medi-*
41 *care-eligible participants offered under the state of Kansas health care*
42 *benefits program for the plan year beginning January 1, 2003.*

43 *In any such case, there shall be no such reduction in any plan year in*

1 *which the single-person premium for the lowest-cost option offered to*
2 *medicare-eligible participants for the current plan year is equal to or less*
3 *than the single-person premium for the lowest-cost option offered to med-*
4 *icare-eligible participants for the plan year beginning January 1, 2003.*

5 (2) *The Kansas state employees health care commission shall desig-*
6 *nate by rules and regulations those persons participating in the state of*
7 *Kansas health care benefits program who are eligible for the premium*
8 *reduction provided under paragraph (1) of this subsection. Such persons*
9 *shall be former state employees, officers, or elected officials who are eli-*
10 *gible for medicare and who meet such other conditions as are established*
11 *in rules and regulations adopted by the Kansas state employees health*
12 *care commission.*

13 (3) *In determining the amount to be paid by each state agency under*
14 *subsection (a) of this section, the Kansas state employees health care com-*
15 *mission shall include the total cost of the premium reduction provided*
16 *under paragraph (1) of this subsection.*

17 (c) *In the event that the Kansas state employees health care com-*
18 *mission designates by rules and regulations a group of persons on the*
19 *payroll of a county, township, city, special district or other local govern-*
20 *mental entity, public school district, licensed child care facility operated*
21 *by a not-for-profit corporation providing residential group foster care for*
22 *children and receiving reimbursement for all or part of such care from*
23 *the department of social and rehabilitation services, nonprofit community*
24 *mental health center, as provided in K.S.A. 19-4001 et seq., and amend-*
25 *ments thereto, nonprofit community facility for the mentally retarded, as*
26 *provided in K.S.A. 19-4001 et seq., and amendments thereto, or nonprofit*
27 *independent living agency, as defined in K.S.A. 65-5101, and amend-*
28 *ments thereto, as qualified to participate in the state health care benefits*
29 *program, each local governmental entity, public school district, licensed*
30 *child care facility operated by a not-for-profit corporation providing res-*
31 *idential group foster care for children and receiving reimbursement for*
32 *all or part of such care from the department of social and rehabilitation*
33 *services, nonprofit community mental health center, as provided in K.S.A.*
34 *19-4001 et seq., and amendments thereto, nonprofit community facility*
35 *for the mentally retarded, as provided in K.S.A. 19-4001 et seq., and*
36 *amendments thereto, or nonprofit independent living agency, as defined*
37 *in K.S.A. 65-5101, and amendments thereto, which has on its payroll*
38 *persons participating in the state health care benefits program shall pay*
39 *from any moneys available to the local governmental entity, public school*
40 *district, licensed child care facility operated by a not-for-profit corpora-*
41 *tion providing residential group foster care for children and receiving*
42 *reimbursement for all or part of such care from the department of social*
43 *and rehabilitation services, nonprofit community mental health center, as*

1 provided in K.S.A. 19-4001 *et seq.*, and amendments thereto, nonprofit
2 community facility for the mentally retarded, as provided in K.S.A. 19-
3 4001 *et seq.*, and amendments thereto, or nonprofit independent living
4 agency, as defined in K.S.A. 65-5101, and amendments thereto, for such
5 purpose an amount specified by the commission. The commission may
6 charge each local governmental entity, public school district, licensed
7 child care facility operated by a not-for-profit corporation providing res-
8 idential group foster care for children and receiving reimbursement for
9 all or part of such care from the department of social and rehabilitation
10 services, nonprofit community mental health center, as provided in K.S.A.
11 19-4001 *et seq.*, and amendments thereto, nonprofit community facility
12 for the mentally retarded, as provided in K.S.A. 19-4001 *et seq.*, and
13 amendments thereto, or nonprofit independent living agency, as defined
14 in K.S.A. 65-5101, and amendments thereto, a uniform amount per per-
15 son as the cost to the local governmental entity, public school district,
16 licensed child care facility operated by a not-for-profit corporation provid-
17 ing residential group foster care for children and receiving reimburse-
18 ment for all or part of such care from the department of social and re-
19 habilitation services, nonprofit community mental health center, as pro-
20 vided in K.S.A. 19-4001 *et seq.*, and amendments thereto, nonprofit com-
21 munity facility for the mentally retarded, as provided in K.S.A. 19-
22 4001 *et seq.*, and amendments thereto, or nonprofit independent living
23 agency, as defined in K.S.A. 65-5101, and amendments thereto, for the
24 contribution of the local governmental entity, public school district, li-
25 censed child care facility operated by a not-for-profit corporation provid-
26 ing residential group foster care for children and receiving reimburse-
27 ment for all or part of such care from the department of social and
28 rehabilitation services, nonprofit community mental health center, as pro-
29 vided in K.S.A. 19-4001 *et seq.*, and amendments thereto, nonprofit com-
30 munity facility for the mentally retarded, as provided in K.S.A. 19-4001
31 *et seq.*, and amendments thereto, or nonprofit independent living agency,
32 as defined in K.S.A. 65-5101, and amendments thereto, for persons par-
33 ticipating in the state health care benefits program. Such amounts may
34 include the costs of administering the program.

35 ~~(b)~~ (d) Payments from public funds for coverage under the state
36 health care benefits program for persons participating in that program
37 shall not be deemed a payment or supplement of wages of such person
38 notwithstanding any other provision of law or rules and regulations relat-
39 ing to wages of any such person.

40 Sec. 2. K.S.A. 75-6508 is hereby repealed.

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