2   **SHB 2867** - S Amd
3   By Senators Sutherland and Bailey

4   On page 5, after line 21, insert the following:

5   "**Sec. 4.** RCW 41.05.080 and 1977 ex.s. c 136 s 6 are each amended

6   to read as follows:

7   (1) Retired or disabled state employees, or employees of county,

8   municipal, or other political subdivisions covered by this chapter who

9   are retired, may continue their participation in insurance plans and

10   contracts after retirement or disablement, under the qualifications,

11   terms, conditions, and benefits set by the board: PROVIDED, That the

12   rates charged such retired or disabled employees for health care will

13   be developed from the same experience pool as active employees:

14   PROVIDED FURTHER, That such retired or disabled employees shall bear

15   the full cost of premiums required to provide such coverage except as

16   provided under subsection (2) of this section: PROVIDED FURTHER, That

17   such self pay rates will be established based on a separate rate for

18   the employee, the spouse, and the children: PROVIDED FURTHER, That

19   rates for a retired or disabled employee, spouse, or child who is

20   eligible for and who elects to apply for medicare will be actuarially

21   reduced to reflect the value of Part A and Part B of medicare. The

22   term "retired state employees" for the purpose of this section shall

23   include but not be limited to members of the legislature whether

24   voluntarily or involuntarily leaving state office.

25   (2) Any corrections officer of the department of corrections who

26   sustains an injury on the job as a result of an offender assault that

27   results in total permanent physical and mental disability, or total

permanent physical disability, may continue full participation under the state employees' health care insurance plan under the following conditions:

(a) The corrections officer sustained an injury on the job as a result of an offender assault that results in total permanent physical disability or total permanent mental and physical disability;

(b) The corrections officer received compensation for the disability under the industrial insurance laws of this state and received assault benefits for one full year;

(c) The corrections officer has received disability separation from the department of corrections;

(d) A determination of total permanent physical and mental disability or total permanent physical disability has been confirmed in writing independently by the corrections officer's attending physician and one other physician; and

(e) No other similar state or federal assistance is provided to the corrections officer for that purpose.

The determination by the physicians must be filed in writing to the department of labor and industries within sixty days following the last month the individual receives an assault benefits payment. This filing requirement is satisfied by filing a signed statement from the attending physician and another physician stating the date that the disability commenced and that the individual was unable to reenter the work force during the time of the disability and is unable to enter the work force in the future as a result of the assault. The department of labor and industries may examine any medical information related to the disability."

"NEW SECTION. **Sec. 5.** This act applies to all correctional officers who meet the criteria established in section 4 of this act and whose assault benefits end any time after January 1, 1992. The full

1 cost of the health care insurance premiums shall be covered by the

2 state. In the event the individual who qualifies under this at is able

3 to return to any kind of work that qualifies them for similar health

4 care benefits, the health premiums paid for by the state shall cease."

5 **SHB 2867** - S Amd
6   By Senators Sutherland and Bailey

7   On page 1, line 2, after RCW insert "41.05.080,"