
HOUSE BILL 1811

State of Washington

57th Legislature

2001 Regular Session

By Representatives Lambert, Grant, Campbell, Conway, Cox, Schoesler, Lovick, Cody, Simpson, Gombosky, Schual-Berke, Barlean, Fromhold, Benson, Clements, Miloscia, Darneille and Armstrong

Read first time 02/05/2001. Referred to Committee on Appropriations.

1 AN ACT Relating to participating in insurance plans and
2 contracts by separated plan 2 members of certain retirement
3 systems; amending RCW 41.05.011; reenacting and amending RCW
4 41.05.011; providing an effective date; and providing an
5 expiration date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 41.05.011 and 2000 c 230 s 3 are each amended to read
8 as follows:

9 Unless the context clearly requires otherwise, the definitions
10 in this section shall apply throughout this chapter.

11 (1) "Administrator" means the administrator of the authority.

12 (2) "State purchased health care" or "health care" means
13 medical and health care, pharmaceuticals, and medical equipment
14 purchased with state and federal funds by the department of social
15 and health services, the department of health, the basic health
16 plan, the state health care authority, the department of labor and
17 industries, the department of corrections, the department of
18 veterans affairs, and local school districts.

1 (3) "Authority" means the Washington state health care
2 authority.

3 (4) "Insuring entity" means an insurer as defined in chapter
4 48.01 RCW, a health care service contractor as defined in chapter
5 48.44 RCW, or a health maintenance organization as defined in
6 chapter 48.46 RCW.

7 (5) "Flexible benefit plan" means a benefit plan that allows
8 employees to choose the level of health care coverage provided and
9 the amount of employee contributions from among a range of choices
10 offered by the authority.

11 (6) "Employee" includes all full-time and career seasonal
12 employees of the state, whether or not covered by civil service;
13 elected and appointed officials of the executive branch of
14 government, including full-time members of boards, commissions, or
15 committees; and includes any or all part-time and temporary
16 employees under the terms and conditions established under this
17 chapter by the authority; justices of the supreme court and judges
18 of the court of appeals and the superior courts; and members of
19 the state legislature or of the legislative authority of any
20 county, city, or town who are elected to office after February 20,
21 1970. "Employee" also includes: (a) Employees of a county,
22 municipality, or other political subdivision of the state if the
23 legislative authority of the county, municipality, or other
24 political subdivision of the state seeks and receives the approval
25 of the authority to provide any of its insurance programs by
26 contract with the authority, as provided in RCW 41.04.205; (b)
27 employees of employee organizations representing state civil
28 service employees, at the option of each such employee
29 organization, and, effective October 1, 1995, employees of
30 employee organizations currently pooled with employees of school
31 districts for the purpose of purchasing insurance benefits, at the
32 option of each such employee organization; and (c) employees of a
33 school district if the authority agrees to provide any of the
34 school districts' insurance programs by contract with the
35 authority as provided in RCW 28A.400.350.

36 (7) "Board" means the public employees' benefits board
37 established under RCW 41.05.055.

38 (8) "Retired or disabled school employee" means:

1 (a) Persons who separated from employment with a school
2 district or educational service district and are receiving a
3 retirement allowance under chapter 41.32 or 41.40 RCW as of
4 September 30, 1993;

5 (b) Persons who separate from employment with a school district
6 or educational service district on or after October 1, 1993, and
7 immediately upon separation receive a retirement allowance under
8 chapter 41.32, 41.35, or 41.40 RCW;

9 (c) Persons who separate from employment with a school district
10 or educational service district due to a total and permanent
11 disability, and are eligible to receive a deferred retirement
12 allowance under chapter 41.32, 41.35, or 41.40 RCW.

13 (9) "Benefits contribution plan" means a premium only
14 contribution plan, a medical flexible spending arrangement, or a
15 cafeteria plan whereby state and public employees may agree to a
16 contribution to benefit costs which will allow the employee to
17 participate in benefits offered pursuant to 26 U.S.C. Sec. 125 or
18 other sections of the internal revenue code.

19 (10) "Salary" means a state employee's monthly salary or wages.

20 (11) "Participant" means an individual who fulfills the
21 eligibility and enrollment requirements under the benefits
22 contribution plan.

23 (12) "Plan year" means the time period established by the
24 authority.

25 (13) "Separated employees" means persons who separate from
26 employment with an employer as defined in:

27 (a)(i) RCW 41.32.010(11) on or after July 1, 1996; or

28 (~~(b)~~) (ii) RCW 41.35.010 on or after September 1, 2000;

29 and who are at least age fifty-five and have at least ten years of
30 service under the teachers' retirement system plan 3 as defined in
31 RCW 41.32.010(40) or the Washington school employees' retirement
32 system plan 3 as defined in RCW 41.35.010; or

33 (b) For the purposes of RCW 41.05.080:

34 (i) RCW 41.32.010(11) on or after the effective date of this
35 act; or

36 (ii) RCW 41.35.010 on or after the effective date of this act;
37 and who are at least age fifty-five and have at least ten years of

1 service under the teachers' retirement system plan 2 as defined in
2 RCW 41.32.010 or the Washington school employees' retirement
3 system plan 2 as defined in RCW 41.35.010.

4 **Sec. 2.** RCW 41.05.011 and 2000 c 247 s 604 and 2000 c 230 s 3 are
5 each reenacted and amended to read as follows:

6 Unless the context clearly requires otherwise, the definitions
7 in this section shall apply throughout this chapter.

8 (1) "Administrator" means the administrator of the authority.

9 (2) "State purchased health care" or "health care" means
10 medical and health care, pharmaceuticals, and medical equipment
11 purchased with state and federal funds by the department of social
12 and health services, the department of health, the basic health
13 plan, the state health care authority, the department of labor and
14 industries, the department of corrections, the department of
15 veterans affairs, and local school districts.

16 (3) "Authority" means the Washington state health care
17 authority.

18 (4) "Insuring entity" means an insurer as defined in chapter
19 48.01 RCW, a health care service contractor as defined in chapter
20 48.44 RCW, or a health maintenance organization as defined in
21 chapter 48.46 RCW.

22 (5) "Flexible benefit plan" means a benefit plan that allows
23 employees to choose the level of health care coverage provided and
24 the amount of employee contributions from among a range of choices
25 offered by the authority.

26 (6) "Employee" includes all full-time and career seasonal
27 employees of the state, whether or not covered by civil service;
28 elected and appointed officials of the executive branch of
29 government, including full-time members of boards, commissions, or
30 committees; and includes any or all part-time and temporary
31 employees under the terms and conditions established under this
32 chapter by the authority; justices of the supreme court and judges
33 of the court of appeals and the superior courts; and members of
34 the state legislature or of the legislative authority of any
35 county, city, or town who are elected to office after February 20,
36 1970. "Employee" also includes: (a) Employees of a county,
37 municipality, or other political subdivision of the state if the

1 legislative authority of the county, municipality, or other
2 political subdivision of the state seeks and receives the approval
3 of the authority to provide any of its insurance programs by
4 contract with the authority, as provided in RCW 41.04.205; (b)
5 employees of employee organizations representing state civil
6 service employees, at the option of each such employee
7 organization, and, effective October 1, 1995, employees of
8 employee organizations currently pooled with employees of school
9 districts for the purpose of purchasing insurance benefits, at the
10 option of each such employee organization; and (c) employees of a
11 school district if the authority agrees to provide any of the
12 school districts' insurance programs by contract with the
13 authority as provided in RCW 28A.400.350.

14 (7) "Board" means the public employees' benefits board
15 established under RCW 41.05.055.

16 (8) "Retired or disabled school employee" means:

17 (a) Persons who separated from employment with a school
18 district or educational service district and are receiving a
19 retirement allowance under chapter 41.32 or 41.40 RCW as of
20 September 30, 1993;

21 (b) Persons who separate from employment with a school district
22 or educational service district on or after October 1, 1993, and
23 immediately upon separation receive a retirement allowance under
24 chapter 41.32, 41.35, or 41.40 RCW;

25 (c) Persons who separate from employment with a school district
26 or educational service district due to a total and permanent
27 disability, and are eligible to receive a deferred retirement
28 allowance under chapter 41.32, 41.35, or 41.40 RCW.

29 (9) "Benefits contribution plan" means a premium only
30 contribution plan, a medical flexible spending arrangement, or a
31 cafeteria plan whereby state and public employees may agree to a
32 contribution to benefit costs which will allow the employee to
33 participate in benefits offered pursuant to 26 U.S.C. Sec. 125 or
34 other sections of the internal revenue code.

35 (10) "Salary" means a state employee's monthly salary or wages.

36 (11) "Participant" means an individual who fulfills the
37 eligibility and enrollment requirements under the benefits
38 contribution plan.

1 (12) "Plan year" means the time period established by the
2 authority.

3 (13) "Separated employees" means persons who separate from
4 employment with an employer as defined in:

5 (a)(i) RCW 41.32.010(11) on or after July 1, 1996; or

6 (~~(b)~~) (ii) RCW 41.35.010 on or after September 1, 2000; or

7 (~~(c)~~) (iii) RCW 41.40.010 on or after March 1, 2002;

8 and who are at least age fifty-five and have at least ten years of
9 service under the teachers' retirement system plan 3 as defined in
10 RCW 41.32.010(40), the Washington school employees' retirement
11 system plan 3 as defined in RCW 41.35.010, or the public
12 employees' retirement system plan 3 as defined in RCW 41.40.010;
13 or

14 (b) For the purposes of RCW 41.05.080:

15 (i) RCW 41.32.010(11) on or after the effective date of this
16 act; or

17 (ii) RCW 41.35.010 on or after the effective date of this act;
18 or

19 (iii) RCW 41.40.010 on or after March 1, 2002;

20 and who are at least age fifty-five and have at least ten years of
21 service under the teachers' retirement system plan 2 as defined in
22 RCW 41.32.010, the Washington school employees' retirement system
23 plan 2 as defined in RCW 41.35.010, or the public employees'
24 retirement system plan 2 as defined in RCW 41.40.010.

25 NEW SECTION. Sec. 3. Section 1 of this act expires March 1,
26 2002.

27 NEW SECTION. Sec. 4. Section 2 of this act takes effect March
28 1, 2002.

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