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SENATE BILL 6871

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State of Washington

59th Legislature

2006 Regular Session

By Senator Kastama

Read first time 01/30/2006. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to removing members of the legislature from state  
2 health care coverage; and amending RCW 41.05.011.

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

4 **Sec. 1.** RCW 41.05.011 and 2005 c 143 s 1 are each amended to read  
5 as follows:

6 Unless the context clearly requires otherwise, the definitions in  
7 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 medical  
10 and health care, pharmaceuticals, and medical equipment purchased with  
11 state and federal funds by the department of social and health  
12 services, the department of health, the basic health plan, the state  
13 health care authority, the department of labor and industries, the  
14 department of corrections, the department of veterans affairs, and  
15 local school districts.

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

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

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

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

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

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

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

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

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

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

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

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

14 (12) "Plan year" means the time period established by the  
15 authority.

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

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

19 (b) RCW 41.35.010 on or after September 1, 2000; or

20 (c) RCW 41.40.010 on or after March 1, 2002;

21 and who are at least age fifty-five and have at least ten years of  
22 service under the teachers' retirement system plan 3 as defined in RCW  
23 41.32.010(40), the Washington school employees' retirement system plan  
24 3 as defined in RCW 41.35.010, or the public employees' retirement  
25 system plan 3 as defined in RCW 41.40.010.

26 (14) "Emergency service personnel killed in the line of duty" means  
27 law enforcement officers and fire fighters as defined in RCW 41.26.030,  
28 and reserve officers and fire fighters as defined in RCW 41.24.010 who  
29 die as a result of injuries sustained in the course of employment as  
30 determined consistent with Title 51 RCW by the department of labor and  
31 industries.

32 (15) "Employer" means the state of Washington.

33 (16) "Employing agency" means a division, department, or separate  
34 agency of state government and a county, municipality, school district,  
35 educational service district, or other political subdivision, covered  
36 by this chapter.

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