

SENATE BILL REPORT

SB 5296

As Reported by Senate Committee On:
Health & Long-Term Care, January 19, 2012

Title: An act relating to public employee benefits law.

Brief Description: Addressing public employee benefits law.

Sponsors: Senators Keiser, Pflug and Conway; by request of Health Care Authority.

Brief History:

Committee Activity: Health & Long-Term Care: 1/16/12, 1/19/12 [DPS].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 5296 be substituted therefor, and the substitute bill do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; Becker, Ranking Minority Member; Frockt, Kline, Parlette and Pridemore.

Staff: Mich'l Needham (786-7442)

Background: The Public Employees Benefits Board (PEBB) program is administered by the Health Care Authority (HCA) and provides comprehensive benefits for state and higher education employees and their dependents, other public employee groups, and retirees and their dependents. Legislation passed in 2007 created eligibility for certain dependent children up to age 25, which is now inconsistent with the requirements of the federal Affordable Care Act (ACA), passed in March 2010, which extended coverage for all dependent children to age 26.

Bills passed in 2007 and 2009 established requirements for state registered domestic partnerships, benefit eligibility for domestic partners, and benefit rights of domestic partners of emergency service personnel killed in the line of duty, resulting in multiple and inconsistent references for benefits eligibility. Legislation passed in 2009 increased the authority of the PEBB board and HCA to enforce eligibility policies and simplify eligibility criteria, and there is need for some technical amendments. Technical corrections are proposed to streamline statutory provisions for consistency and to reflect changes in state and federal laws.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill (Recommended Substitute): Technical corrections to eligibility references are inserted. It is clarified that the HCA may authorize the agencies with participating employees to determine the employee eligibility and complete a periodic review. The reference to adult family home providers is corrected from adult family homeowners. A definition for employer group is added and a definition for state registered domestic partners is added. Requirements for seasonal employees are modified to reflect consistency with other statutory requirements, requiring an average of eighty hours per month over six consecutive months. Eligibility for faculty allows the recognition of either academic quarters or semesters, and definitions of academic year and half-time status for faculty are inserted to allow each four-year institution to determine the academic workload, and to have community and technical colleges follow the higher education statutes in RCW 28B.50.489.

Phrases referring to state registered domestic partners as a couple of the same sex are removed and refer to the requirements to register under RCW 26.60.030, which limits registry to domestic partners of the same sex unless they are over age 62. References to domestic partners of emergency service personnel killed in the line of duty are modified to reflect the requirement of state registration. The statute adding eligibility for unmarried dependents under age 25 is repealed.

EFFECT OF CHANGES MADE BY HEALTH & LONG-TERM CARE COMMITTEE (Recommended Substitute): Corrected the underlying statutes with 2011 changes by the 2011 Legislature. Corrects the reference to disabled retirees to ensure statutory references are consistent.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is a measure to allow transparency and clarity for our employees and ensure the law is consistent with changes that have been made in other bills over time.

Persons Testifying: PRO: Dennis Martin, HCA.