



General Assembly

January Session, 2003

Amendment

LCO No. 6321

SB0001806321SD0

Offered by:

SEN. PRAGUE, 19th Dist.

To: Subst. Senate Bill No. 18

File No. 185

Cal. No. 140

**"AN ACT REQUIRING HEALTH INSURANCE COVERAGE FOR
OVARIAN CANCER SCREENING."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (i) of section 5-259 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective July*
5 *1, 2003*):

6 (i) The Comptroller may provide for coverage of municipal
7 employees, [or] employees of nonprofit corporations or members of an
8 association for personal care assistants under the plan or plans
9 procured under subsection (a) of this section, provided: (1)
10 Participation by each municipal employer, [or] nonprofit corporation
11 or an association for personal care assistants shall be on a voluntary
12 basis; (2) where an employee organization represents employees in a
13 municipality or nonprofit corporation, participation in a plan or plans
14 to be procured under subsection (a) of this section shall be by mutual

15 agreement of the municipal employer and the employee organization
16 only and neither party may submit the issue of participation to binding
17 arbitration except by mutual agreement; (3) no group of employees
18 shall be refused entry into the plan by reason of past or future health
19 care costs or claim experience; (4) rates paid by the state for its
20 employees under subsection (a) of this section are not adversely
21 affected by this subsection; (5) administrative costs to the plan or plans
22 provided under this subsection shall be paid by the participating
23 municipality, the participating association for personal care assistants
24 or the participating nonprofit corporation at no additional cost to the
25 state; and (6) participation in the plan or plans in an amount
26 determined by the state shall be for the duration of the period of the
27 plan or plans, or for such other period as mutually agreed by the
28 municipality, association for personal care assistants or nonprofit
29 corporation and the Comptroller. The Comptroller, with the approval
30 of the Secretary of the Office of Policy and Management, may arrange
31 and procure for the employees under this subsection health benefit
32 plans that vary from the plan or plans procured under subsection (a) of
33 this section. Such alternate plans may be offered to municipal
34 employees on a fully underwritten basis only. Notwithstanding any
35 provision of law, such alternate plan may be offered to employees of
36 nonprofit corporations or members of an association for personal care
37 assistants on either a fully underwritten or risk-pooled basis at the
38 discretion of the Comptroller. For the purposes of this subsection, (A)
39 "municipality" means any town, city, borough, school district, taxing
40 district, fire district, district department of health, probate district,
41 housing authority, regional work force development board established
42 under section 31-3k, flood commission or authority established by
43 special act, regional planning agency, transit district formed under
44 chapter 103a, or the Children's Center established by number 571 of
45 the public acts of 1969, [; and] (B) "nonprofit corporation" means a
46 nonprofit corporation organized under 26 USC 501(c)(3) that has a
47 contract with the state, and (C) "association for personal care
48 assistants" means the organization composed of personal care
49 attendants who are either employed by recipients of service under the

50 home care program for the elderly under section 17b-342, the personal
51 care assistance program under section 17b-605a, an independent living
52 center pursuant to sections 17b-613 to 17b-615, inclusive, or the
53 acquired brain injury program pursuant to section 17b-260a.

54 Sec. 2. Subdivision (4) of section 38a-564 of the general statutes is
55 repealed and the following is substituted in lieu thereof (*Effective July*
56 *1, 2003*):

57 (4) "Small employer" means any person, firm, corporation, limited
58 liability company, partnership or association actively engaged in
59 business or self-employed for at least three consecutive months who,
60 on at least fifty per cent of its working days during the preceding
61 twelve months, employed no more than fifty eligible employees, the
62 majority of whom were employed within the state of Connecticut.
63 "Small employer" includes a self-employed individual. In determining
64 the number of eligible employees, companies which are affiliated
65 companies, as defined in section 33-840, or which are eligible to file a
66 combined tax return for purposes of taxation under chapter 208 shall
67 be considered one employer. Eligible employees shall not include
68 employees covered through the employer by health insurance plans or
69 insurance arrangements issued to or in accordance with a trust
70 established pursuant to collective bargaining subject to the federal
71 Labor Management Relations Act. Except as otherwise specifically
72 provided, provisions of sections 12-201, 12-211, 12-212a and 38a-564 to
73 38a-572, inclusive, which apply to a small employer shall continue to
74 apply until the plan anniversary following the date the employer no
75 longer meets the requirements of this definition. "Small employer"
76 does not include (A) a municipality procuring health insurance
77 pursuant to section 5-259, as amended by this act, (B) a private school
78 in this state procuring health insurance through a health insurance
79 plan or an insurance arrangement sponsored by an association of such
80 private schools, [or] (C) a nonprofit organization procuring health
81 insurance pursuant to section 5-259, as amended by this act, unless the
82 Secretary of the Office of Policy and Management and the State
83 Comptroller make a request in writing to the Insurance Commissioner

84 that such nonprofit organization be deemed a small employer for the
85 purposes of this chapter, or (D) an association for personal care
86 assistants procuring health insurance pursuant to section 5-259, as
87 amended by this act.

88 Sec. 3. Subsection (b) of section 12-202a of the general statutes is
89 repealed and the following is substituted in lieu thereof (*Effective July*
90 *1, 2003*):

91 (b) Notwithstanding the provisions of subsection (a) of this section,
92 the tax shall not apply to: (1) Any new or renewal contract or policy
93 entered into with the state on or after July 1, 1997, to provide health
94 care coverage to state employees, retirees and their dependents; (2) any
95 subscriber charges received from the federal government to provide
96 coverage for Medicare patients; (3) any subscriber charges received
97 under a contract or policy entered into with the state to provide health
98 care coverage to Medicaid recipients under the Medicaid managed
99 care program established pursuant to section 17b-28, which charges
100 are attributable to a period on or after January 1, 1998; (4) any new or
101 renewal contract or policy entered into with the state on or after April
102 1, 1998, to provide health care coverage to eligible beneficiaries under
103 the HUSKY Medicaid Plan Part A, HUSKY Part B, or the HUSKY Plus
104 programs, each as defined in section 17b-290; (5) any new or renewal
105 contract or policy entered into with the state on or after April 1, 1998,
106 to provide health care coverage to recipients of state-administered
107 general assistance pursuant to section 17b-257; (6) any new or renewal
108 contract or policy entered into with the state on or after February 1,
109 2000, to provide health care coverage to retired teachers, spouses or
110 surviving spouses covered by plans offered by the state teachers'
111 retirement system; (7) any new or renewal contract or policy entered
112 into on or after July 1, 2001, to provide health care coverage to
113 employees of a municipality under a plan procured pursuant to section
114 5-259, as amended by this act; [or] (8) any new or renewal contract or
115 policy entered into on or after July 1, 2001, to provide health care
116 coverage to employees of nonprofit organizations and their
117 dependents under a plan procured pursuant to section 5-259, as

118 amended by this act; or (9) any new or renewal contract or policy
119 entered into on or after July 1, 2003, to provide health care coverage to
120 members of an association for personal care assistants and their
121 dependents under a plan procured pursuant to section 5-259, as
122 amended by this act."

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>
Sec. 2	<i>July 1, 2003</i>
Sec. 3	<i>July 1, 2003</i>