



General Assembly

January Session, 2003

Amendment

LCO No. 5807

SB0035305807SD0

Offered by:

SEN. PRAGUE, 19th Dist.

To: Subst. Senate Bill No. 353

File No. 219

Cal. No. 164

**"AN ACT EXPANDING COVERAGE UNDER THE STATE
EMPLOYEE HEALTH PLAN."**

1 In line 144, after "agencies" insert ", associations for personal care
2 assistants"

3 In lines 147, 150, 153 and 166, after "agency" and before "or" insert ",
4 association for personal care assistants"

5 In line 188, strike "and"

6 In line 189, after "38a-564" and before the period insert ", as
7 amended by this act, and (E) "association for personal care assistants"
8 means an organization composed of personal care attendants who are
9 employed by recipients of service (i) under the home care program for
10 the elderly established in section 17b-342, (ii) under the personal care
11 assistance program described in section 17b-605a, (iii) in an
12 independent living center pursuant to sections 17b-613 to 17b-615,
13 inclusive, or (iv) under the program for individuals with acquired
14 brain injury as described in section 17b-260a"

15 In line 212, after "agencies" insert ", associations for personal care
16 assistants"

17 In line 287, after the semicolon and before "(9)" strike "or"

18 In line 292, after "2002" and before the period insert "; or (10) any
19 new or renewal contract or policy entered into on or after July 1, 2003,
20 to provide health care coverage to members of an association for
21 personal care assistants and their dependents under a plan procured
22 pursuant to section 5-259, as amended by this act"

23 After the last section, add the following and renumber sections and
24 internal references accordingly:

25 "Sec. 501. Subdivision (4) of section 38a-564 of the general statutes is
26 repealed and the following is substituted in lieu thereof (*Effective July*
27 *1, 2003*):

28 (4) "Small employer" means any person, firm, corporation, limited
29 liability company, partnership or association actively engaged in
30 business or self-employed for at least three consecutive months who,
31 on at least fifty per cent of its working days during the preceding
32 twelve months, employed no more than fifty eligible employees, the
33 majority of whom were employed within the state of Connecticut.
34 "Small employer" includes a self-employed individual. In determining
35 the number of eligible employees, companies which are affiliated
36 companies, as defined in section 33-840, or which are eligible to file a
37 combined tax return for purposes of taxation under chapter 208 shall
38 be considered one employer. Eligible employees shall not include
39 employees covered through the employer by health insurance plans or
40 insurance arrangements issued to or in accordance with a trust
41 established pursuant to collective bargaining subject to the federal
42 Labor Management Relations Act. Except as otherwise specifically
43 provided, provisions of sections 12-201, 12-211, 12-212a and 38a-564 to
44 38a-572, inclusive, which apply to a small employer shall continue to
45 apply until the plan anniversary following the date the employer no
46 longer meets the requirements of this definition. "Small employer"

47 does not include (A) a municipality procuring health insurance
48 pursuant to section 5-259, as amended by this act, (B) a private school
49 in this state procuring health insurance through a health insurance
50 plan or an insurance arrangement sponsored by an association of such
51 private schools, [or] (C) a nonprofit organization procuring health
52 insurance pursuant to section 5-259, as amended by this act, unless the
53 Secretary of the Office of Policy and Management and the State
54 Comptroller make a request in writing to the Insurance Commissioner
55 that such nonprofit organization be deemed a small employer for the
56 purposes of this chapter, or (D) an association for personal care
57 assistants procuring health insurance pursuant to section 5-259, as
58 amended by this act."