



General Assembly

**Amendment**

January Session, 2003

LCO No. 7636

\*HB0513907636SD0\*

Offered by:

SEN. PRAGUE, 19<sup>th</sup> Dist.

To: Subst. House Bill No. 5139

File No. 681

Cal. No. 578

**"AN ACT CONCERNING PARTICIPATION OF VOLUNTEER  
FIREFIGHTERS IN MUNICIPAL EMPLOYEE HEALTH INSURANCE  
PROGRAMS."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. 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4 repealed and the following is substituted in lieu thereof (*Effective July*  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 association for personal care assistants shall be on a voluntary basis;  
12 (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, association for personal care assistants or nonprofit  
24 corporation at no additional cost to the state; and (6) participation in  
25 the plan or plans in an amount determined by the state shall be for the  
26 duration of the period of the plan or plans, or for such other period as  
27 mutually agreed by the municipality, association for personal care  
28 assistants or nonprofit corporation and the Comptroller. The  
29 Comptroller, with the approval of the Secretary of the Office of Policy  
30 and Management, may arrange and procure for the employees under  
31 this subsection health benefit plans that vary from the plan or plans  
32 procured under subsection (a) of this section. Such alternate plans may  
33 be offered to municipal employees on a fully underwritten basis only.  
34 Notwithstanding any provision of law, such alternate plan may be  
35 offered to employees of nonprofit corporations or members of an  
36 association for personal care assistants on either a fully underwritten  
37 or risk-pooled basis at the discretion of the Comptroller. For the  
38 purposes of this subsection, (A) "municipality" means any town, city,  
39 borough, school district, taxing district, fire district, district department  
40 of health, probate district, housing authority, regional work force  
41 development board established under section 31-3k, flood commission  
42 or authority established by special act, regional planning agency,  
43 transit district formed under chapter 103a, or the Children's Center  
44 established by number 571 of the public acts of 1969, [; and] (B)  
45 "nonprofit corporation" means a nonprofit corporation organized  
46 under 26 USC 501(c)(3) that has a contract with the state, and (C)  
47 "association for personal care assistants" means an organization  
48 composed of personal care attendants who are employed by recipients  
49 of service (i) under the home-care program for the elderly under

50 section 17b-342, (ii) under the personal care assistance program under  
51 section 17b-605a, (iii) in an independent living center pursuant to  
52 sections 17b-613 to 17b-615, inclusive, or (iv) under the program for  
53 individuals with acquired brain injury as described in section 17b-  
54 260a.

55 Sec. 502. Subdivision (4) of section 38a-564 of the general statutes is  
56 repealed and the following is substituted in lieu thereof (*Effective July*  
57 *1, 2003*):

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

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