



General Assembly

Amendment

January Session, 2007

LCO No. 8683

HB0666008683HDO

Offered by:

REP. O'CONNOR, 35th Dist.

SEN. CRISCO, 17th Dist.

To: Subst. House Bill No. 6660

File No. 639

Cal. No. 229

"AN ACT CONCERNING HEALTH INSURANCE PREMIUM PAYMENTS BY EMPLOYERS FOR TERMINATED EMPLOYEES."

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4 repealed and the following is substituted in lieu thereof (*Effective from*
5 *passage*):

6 (i) The Comptroller may provide for coverage of employees of
7 municipalities, nonprofit corporations, community action agencies and
8 small employers and individuals eligible for a health coverage tax
9 credit, retired members or members of an association for personal care
10 assistants under the plan or plans procured under subsection (a) of this
11 section, provided: (1) Participation by each municipality, nonprofit
12 corporation, community action agency, small employer, eligible
13 individual, retired member or association for personal care assistants
14 shall be on a voluntary basis; (2) where an employee organization

15 represents employees of a municipality, nonprofit corporation,
16 community action agency or small employer, participation in a plan or
17 plans to be procured under subsection (a) of this section shall be by
18 mutual agreement of the municipality, nonprofit corporation,
19 community action agency or small employer and the employee
20 organization only and neither party may submit the issue of
21 participation to binding arbitration except by mutual agreement if
22 such binding arbitration is available; (3) no group of employees shall
23 be refused entry into the plan by reason of past or future health care
24 costs or claim experience; (4) rates paid by the state for its employees
25 under subsection (a) of this section are not adversely affected by this
26 subsection; (5) administrative costs to the plan or plans provided
27 under this subsection shall not be paid by the state; (6) participation in
28 the plan or plans in an amount determined by the state shall be for the
29 duration of the period of the plan or plans, or for such other period as
30 mutually agreed by the municipality, nonprofit corporation,
31 community action agency, small employer, retired member or
32 association for personal care assistants and the Comptroller; and (7)
33 nothing in this section or section 12-202a, 38a-551, 38a-553 or 38a-556
34 shall be construed as requiring a participating insurer or health care
35 center to issue individual policies to individuals eligible for a health
36 coverage tax credit. The coverage provided under this section may be
37 referred to as the "Municipal Employee Health Insurance Plan". The
38 Comptroller may arrange and procure for the employees and eligible
39 individuals under this subsection health benefit plans that vary from
40 the plan or plans procured under subsection (a) of this section.
41 Notwithstanding any provision of part V of chapter 700c, the coverage
42 provided under this subsection may be offered on either a fully
43 underwritten or risk-pooled basis at the discretion of the Comptroller.
44 Notwithstanding the provisions of subdivision (22) of section 38a-567,
45 as amended by this act, concerning coverage of small employers as a
46 single entity, employees of municipalities, nonprofit corporations,
47 community action agencies and small employers and individuals
48 eligible for a health coverage tax credit, retired members or members
49 of an association for personal care assistants may be considered a

50 single entity for purposes of coverage under the plan or plans issued
51 pursuant to this subsection. For the purposes of this subsection, (A)
52 "municipality" means any town, city, borough, school district, taxing
53 district, fire district, district department of health, probate district,
54 housing authority, regional work force development board established
55 under section 31-3k, regional emergency telecommunications center,
56 tourism district established under section 32-302, flood commission or
57 authority established by special act, regional planning agency, transit
58 district formed under chapter 103a, or the Children's Center
59 established by number 571 of the public acts of 1969; (B) "nonprofit
60 corporation" means (i) a nonprofit corporation organized under 26
61 USC 501 that has a contract with the state or receives a portion of its
62 funding from a municipality, the state or the federal government, or
63 (ii) an organization that is tax exempt pursuant to 26 USC 501(c)(5); (C)
64 "community action agency" means a community action agency, as
65 defined in section 17b-885; (D) "small employer" means a small
66 employer, as defined in subparagraph (A) of subdivision (4) of section
67 38a-564; (E) "eligible individuals" or "individuals eligible for a health
68 coverage tax credit" means individuals who are eligible for the credit
69 for health insurance costs under Section 35 of the Internal Revenue
70 Code of 1986, or any subsequent corresponding internal revenue code
71 of the United States, as from time to time amended, in accordance with
72 the Pension Benefit Guaranty Corporation and Trade Adjustment
73 Assistance programs of the Trade Act of 2002 (P.L. 107-210); (F)
74 "association for personal care assistants" means an organization
75 composed of personal care attendants who are employed by recipients
76 of service (i) under the home-care program for the elderly under
77 section 17b-342, (ii) under the personal care assistance program under
78 section 17b-605a, (iii) in an independent living center pursuant to
79 sections 17b-613 to 17b-615, inclusive, or (iv) under the program for
80 individuals with acquired brain injury as described in section 17b-
81 260a; and (G) "retired members" means individuals eligible for a
82 retirement benefit from the Connecticut municipal employees'
83 retirement system.

84 Sec. 502. Subdivision (22) of section 38a-567 of the general statutes
85 is repealed and the following is substituted in lieu thereof (*Effective*
86 *from passage*):

87 (22) With respect to plans or arrangements issued pursuant to
88 subsection (i) of section 5-259, as amended by this act, or by an
89 association group plan, at the option of the Comptroller or the
90 administrator of the association group plan, the premium rates
91 charged or offered to small employers purchasing health insurance
92 shall not be subject to this section, provided (A) the plan or plans
93 offered or issued cover such small employers as a single entity and
94 cover not less than [ten] four thousand eligible individuals on the date
95 issued, (B) each small employer is charged or offered the same
96 premium rate with respect to each eligible individual and dependent,
97 and (C) the plan or plans are written on a guaranteed issue basis."