

2020 Second Extraordinary Session

SENATE BILL NO. 15

BY SENATOR MILLIGAN

SCHOOLS. Requires first-day health insurance coverage for employees of public elementary and secondary school systems under certain circumstances. (gov sig) (Item #42)

1 AN ACT

2 To amend and reenact R.S. 17:81(O) and (Z) and R.S. 42:851(E)(2) and to enact R.S.

3 42:851(U), relative to group health insurance for public school employees; to provide

4 relative to effective dates of coverage for employees of public elementary and

5 secondary school systems during a disaster or emergency; to provide for application

6 and rules promulgation; to provide for an effective date; and to provide for related

7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:81(O) and (Z) are hereby amended and reenacted to read as

10 follows:

11 §81. General powers of local public school boards

12 * * *

13 O.(1) ~~By not later than the beginning of the 2006-2007 school year, each~~

14 **Each** city, parish, or other local public school board shall adopt policies and

15 procedures providing leave with pay for any school system employee who is an

16 elected member of the ~~Board of Trustees~~ **board of trustees** of the Teachers'

17 Retirement System of Louisiana or the ~~Board of Trustees~~ **board of trustees** of the

1 Louisiana School ~~Employees~~ **Employees'** Retirement System, an elected or
 2 appointed member of the State Board of Elementary and Secondary Education, or
 3 an appointed member of any task force, commission, or other advisory body
 4 established by the State Board of Elementary and Secondary Education so that such
 5 employee may attend meetings of the entity and any committees thereof on which
 6 the employee serves.

7 * * *

8 Z.**(1)** Each city, parish, or other local school board shall offer its employees
 9 the opportunity to participate in the Louisiana Public Employees Deferred
 10 Compensation Plan as established by R.S. 42:1301 et seq. The requirement of this
 11 ~~Subsection~~ **Paragraph** does not prohibit a school board from offering its employees
 12 the opportunity to participate in other plans established pursuant to Section 457 of
 13 the Internal Revenue Code.

14 **(2) Each city, parish, or other local school board to which R.S. 42:851**
 15 **applies shall provide the health insurance coverage required pursuant to R.S.**
 16 **42:851(U).**

17 Section 2. R.S. 42:851(E)(2) is hereby amended and reenacted and R.S. 42:851(U)
 18 is hereby enacted to read as follows:

19 §851. Authority for employee benefit programs; payroll deduction for payment of
 20 premiums

21 * * *

22 E.(1) * * *

23 (2) The Office of Group Benefits shall promulgate all rules necessary to carry
 24 out the provisions of Subsections A through E **and U** of this Section.

25 * * *

26 **U.(1) Notwithstanding any other provision of law or any rule or**
 27 **regulation to the contrary, health insurance coverage shall begin concurrent**
 28 **with employment by a public elementary or secondary school system if all of the**
 29 **following apply on the employee's first date of employment with that employer:**

1 (a) The school system is in an area that is the subject of a gubernatorially
 2 or presidentially declared disaster or emergency.

3 (b) The declaration of disaster or emergency specifies that the disaster
 4 or emergency involves risks to the health or well-being of any individual who
 5 engages in certain activities.

6 (c) Among the activities posing a risk to an individual's health or
 7 well-being are activities integral to services to the school system that the
 8 employee is required to perform.

9 (2) The premium for the first month's insurance shall be paid
 10 immediately. The school system shall pay the employer contribution. The
 11 employee contribution may be paid by the school system or the employee. If the
 12 school system pays the employee contribution, the school system shall be
 13 reimbursed by a deduction from the employee's wages.

14 Section 2. This Act shall become effective upon signature by the governor or, if not
 15 signed by the governor, upon expiration of the time for bills to become law without signature
 16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 17 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 18 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by LG Sullivan.

DIGEST

SB 15 Engrossed

2020 Second Extraordinary Session

Milligan

Present law provides for the general powers and duties of local public school boards, including mandates related to employee benefits.

Proposed law retains present law and requires each city, parish, or other local school board covered by present group insurance law to provide the health insurance coverage required pursuant to proposed law.

Present law provides for the Office of Group Benefits (OGB). Authorizes La. state agencies, public higher education entities, and public elementary and secondary school systems to provide group health insurance for their employees and the employees' dependents.

Proposed law retains present law.

Proposed law allows this authorized group health insurance to be provided through private contracts or self-funded programs, subject to OGB approval. Specifies that a city or parish

school board may utilize a private contract or self-funded program without OGB approval. Requires employee and retiree eligibility provisions in any private contract or self-funded program to be identical to eligibility provided in OGB programs.

Proposed law retains present law.

Proposed law, applicable only if certain criteria are met, requires every public elementary or secondary school system to provide employee health insurance coverage beginning on the first date of employment.

Proposed law first-day coverage applies only if, on that date:

- (1) The school system is an area that is the subject of a gubernatorially or presidentially declared disaster or emergency.
- (2) The declaration of disaster or emergency specifies that the disaster or emergency involves risks to the health or well-being of individuals engaged in certain activities.
- (3) Among the risky activities are activities integral to the job the employee is required to perform for the school system.

Present law requires OGB to promulgate rules to carry out the provisions of present law.

Proposed law retains present law and requires OGB to promulgate rules to carry out the provisions of proposed law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:81(O) and (Z) and R.S. 42:851(E)(2); adds R.S. 42:851(U))