

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 ENGROSSED SENATE
5 BILL NO. 473

By: Paxton of the Senate

and

Hilbert of the House

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9 An Act relating to Oklahoma Employees Insurance and
10 Benefits Act; amending 74 O.S. 2021, Section 1308.1,
11 which relates to insurance benefits for education
12 employees; updating statutory language; removing
13 language allowing certain employee to retain certain
14 coverage during certain absence; providing an
15 effective date; and declaring an emergency.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 74 O.S. 2021, Section 1308.1, is
18 amended to read as follows:

19 Section 1308.1. ~~(1)~~ A. An educational entity may extend the
20 benefits of the health insurance plan, the dental insurance plan,
21 and the life insurance plan to education employees employed by the
22 entity. The benefits of the plans for an education employee shall
23 be the same and shall include the same plan options as would be made
24 available to a state employee participating in the plan that resided
at the same location. Notwithstanding the provisions of Section

1 1308.2 of this title, a period shall exist for enrolling education
2 entities from April 1, 1989, through October 1, 1991, whereby
3 education employees of a participating education entity may be
4 enrolled, ~~pursuant to this act,~~ during the entities' initial
5 enrollment period, regardless of preexisting conditions. The Office
6 of Management and Enterprise Services shall adopt rules and
7 regulations for enrollment by which education entities may apply to
8 participate in the insurance plans. Once an education entity
9 becomes a participant in the health and dental insurance plans
10 offered through the Oklahoma Employees Insurance and Benefits Act,
11 the education entity may withdraw from participation, in a manner
12 prescribed by the Office. If a school district is participating in
13 the health and dental insurance plans pursuant to the Oklahoma
14 Employees Insurance and Benefits Act, Sections 1301 through 1329.1
15 of this title, the employees of the school district who are eligible
16 to participate in the health and dental plans, at such time as the
17 school district may withdraw from such participation, may require
18 the board of education of the school district to call an election to
19 allow the employees to vote as to whether the school district shall
20 continue participation in the health and dental insurance plans
21 offered through the Oklahoma Employees Insurance and Benefits Act.
22 Upon the filing with the board of education of a petition calling
23 for such an election which is signed by no less than thirty percent
24 (30%) of the eligible employees of the school district, the board of

1 education shall call an election for the purpose of determining
2 whether the school district shall continue participation in the
3 health and dental insurance plans offered through the Oklahoma
4 Employees Insurance and Benefits Act. The election shall be held
5 within thirty (30) days of the filing of the petition. If a
6 majority of those eligible employees voting at the election vote to
7 continue participation in the health and dental insurance plans
8 offered through the Oklahoma Employees Insurance and Benefits Act,
9 the board of education shall be prohibited from withdrawing the
10 school district from such participation. If a majority of those
11 eligible employees voting at the election vote against continued
12 participation in the health and dental insurance plans offered
13 through the Oklahoma Employees Insurance and Benefits Act, the board
14 of education of the school district shall apply to discontinue such
15 participation within thirty (30) days of the election and within the
16 times the school district is authorized to withdraw from
17 participation in accordance with rules established for withdrawal by
18 the Office.

19 ~~(2)~~ B. Except as otherwise provided in this subsection, when an
20 education entity participates in the health and dental insurance
21 plans offered through the Oklahoma Employees Insurance and Benefits
22 Act, all employees shall be advised of ~~Health Maintenance~~
23 ~~Organizations~~ health maintenance organizations (HMO) prepaid plans
24 available as an alternative to the state self-insured health

1 insurance plan. Eligible part-time education employees, at the
2 option of the employee, may enroll in the plans either at the time
3 the education entity begins participation in the plans or, if later,
4 upon a showing of insurability to the satisfaction of the Office.

5 ~~(3)~~ C. Any employee of an education entity participating in the
6 health and dental insurance plans offered through the Oklahoma
7 Employees Insurance and Benefits Act who is employed after the
8 education entity began ~~said~~ participation may be enrolled in the
9 health and dental insurance plans or HMO plans approved by the
10 Office on the first day of the second month of employment.

11 ~~(4)~~ D. Upon initial enrollment of an institution of higher
12 education to participate in the health and dental insurance plans
13 offered through the Oklahoma Employees Insurance and Benefits Act,
14 all individuals presently insured by ~~said~~ the institution's present
15 group health insurance plan shall become enrolled in ~~said~~ state
16 plans for the remaining period of ~~said~~ the institution's contractual
17 liabilities.

18 ~~(5) Education employees who shall be absent from the teaching~~
19 ~~service because of election or appointment as a local, state, or~~
20 ~~national education association officer shall be allowed to retain~~
21 ~~coverage pursuant to the Oklahoma Employees Insurance and Benefits~~
22 ~~Act upon the payment of the full cost of the coverage at the rate~~
23 ~~and under such terms and conditions established by the Office.~~

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1 ~~(6)~~ E. Except as otherwise provided by law, an educational
2 entity may cease to participate in the Oklahoma Employees Insurance
3 and Benefits Act but provide health insurance coverage through
4 another insurance carrier. The subsequent carrier shall provide
5 coverage to the employees of the educational entity who terminated
6 employment with a retirement benefit, with a vested benefit, or who
7 have ten (10) or more years of service with a participating
8 educational entity but did not have a vested benefit through the
9 retirement system of the educational entity, if the election to
10 retain health insurance coverage was made within thirty (30) days of
11 termination of employment. Coverage shall also be provided to the
12 eligible dependents of the employees if an election to retain
13 coverage is made within thirty (30) days of termination of
14 employment.

15 SECTION 2. This act shall become effective July 1, 2023.

16 SECTION 3. It being immediately necessary for the preservation
17 of the public peace, health, or safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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21 DIRECT TO CALENDAR.
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