

By Senator Saunders

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1 A bill to be entitled

2 An act relating to Lee County; amending chapter 74-522,
3 Laws of Florida, as amended; revising the qualifications
4 for employment or reemployment as a classified employee of
5 the Lee County Sheriff's Office; providing definitions;
6 revising and providing provisions relating to the funding
7 of civil service board and retirement health insurance
8 benefits; providing membership qualifications for
9 participation in the Lee County Sheriff's Office group
10 health insurance plan; specifying payment and premium
11 provisions of the plan; specifying to whom benefits may be
12 payable; providing participation requirements for certain
13 terminated employees prior to their receiving a retirement
14 benefit; requiring the office to be a secondary payor to
15 certain coverage held from previous or subsequent
16 employers; providing schedule requirements for employer
17 premiums; providing the effect of Medicare eligibility;
18 providing for methods of premium payments; providing a
19 limitation on the selection of continued insurance
20 benefits; providing the effect in instances of the death
21 of an insured retiree; providing applicability to all
22 classified and unclassified members of the office;
23 providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Subsection (6) of section 9 and section 15 of
28 chapter 74-522, Laws of Florida, as amended by chapter 2007-320,
29 Laws of Florida, are amended to read:

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30 Section 9. Qualifications for employment.--The minimum
31 standards and qualifications for employment or reemployment as a
32 classified employee of the office of the Sheriff of Lee County,
33 shall be as follows:

34 (6) All applicants having military service must submit a DD
35 214 indicating that they have received no less than an ~~their~~
36 ~~military service and discharge were under~~ honorable discharge
37 from any of the Armed Forces of the United States. Applicants
38 honorably ~~conditions. Persons discharged from military service~~
39 for medical conditions or reasons must be able to perform all
40 functions and essential tasks of the position for which they have
41 applied ~~are applying~~.

42 Section 15. Funding of civil service board and retirement
43 health insurance benefits.--

44 (1) Funding; board operations.--It shall be and is hereby
45 made the duty of the Sheriff of Lee County to provide annually in
46 his or her budget, a sufficient sum of money to enable the board
47 to properly carry out the purpose ~~purposes~~ of this act.

48 (2) Continued group insurance benefits and funding of
49 retirement insurance.--Pursuant to section 112.0801, Florida
50 Statutes, the Sheriff of Lee County is required to offer all
51 retirees the option of continuing to participate in the agency's
52 group health and hospitalization insurance plan. The premium for
53 such continued insurance may be paid by the retiree or the
54 employer.

55 (3) Definitions.--As used in this section, the term:

56 (a) "Eligible employee" means a classified or unclassified
57 full-time member of the Lee County Sheriff's Office who fills a

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58 regularly budgeted position, participates in the Florida
59 Retirement System, and meets the requirements of this section.

60 (b) "Employee premium" means the amount or portion of the
61 health and hospitalization insurance premium payable by the
62 employee or retiree expressed as a monthly dollar amount.

63 (c) "Employer premium" means the amount or portion of the
64 health and hospitalization premium payable by the Lee County
65 Sheriff's Office expressed as a monthly dollar amount.

66 (d) "Florida Retirement System" means the state-
67 administered retirement system established for state and local
68 government employees as defined in chapter 121, Florida Statutes.

69 (e) "Health insurance subsidy" means a monthly payment made
70 to a retired Florida Retirement System member to assist in paying
71 costs of health insurance as provided in section 112.363, Florida
72 Statutes.

73 (f) "Lee County Sheriff's Office retirement health and
74 hospitalization insurance plan" means the same health and
75 hospitalization insurance plan and premium rates as are
76 established for and offered to active members of the agency.

77 (g) "Premium" means the amount charged by the plan to
78 provide individual or family health and hospitalization insurance
79 coverage to active and retired members of the Lee County
80 Sheriff's Office and their qualified dependents expressed as a
81 monthly dollar amount. Premiums for retirees and qualified
82 dependents shall not exceed premiums for active employees.

83 (h) "Qualified dependent" means the spouse or dependent
84 child of a retiree who is entitled to continuing group health and
85 hospitalization insurance benefits pursuant to section 112.0801,
86 Florida Statutes, and the provisions of this section.

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87 (i) "Retirement" means the act of terminating employment
88 and becoming a retiree as defined in section 121.021(60) or
89 section 121.4501(2)(j), Florida Statutes, and receiving a benefit
90 from the Florida Retirement System.

91 (j) "Vested" or "vesting" means the guarantee that a member
92 is eligible to receive a future retirement benefit as provided in
93 section 121.021(45), Florida Statutes.

94 (4) Group health insurance; participation by retired
95 employees with fewer than 15 years of service.--All persons who
96 are retirees, as defined in section 121.021(60) or section
97 121.4501(2)(j), Florida Statutes, from the Florida Retirement
98 System and who terminate from the Lee County Sheriff's Office
99 have the option, pursuant to section 112.0801, Florida Statutes,
100 to continue to participate in the Lee County Sheriff's Office
101 group health insurance plan. Retirees and qualified dependents
102 shall be offered the same health and hospitalization insurance
103 coverage as active employees at a cost of no more than the
104 premium applicable to active employees. Participation in this
105 plan is voluntary and all premiums for retirees and qualified
106 dependents of retirees that have less than 15 years of service
107 with the Lee County Sheriff's Office are employee premiums
108 payable by the retiree or dependent. Retirees may also purchase,
109 at their own expense, individual or family group dental insurance
110 or vision insurance, or both, through the agency's group
111 policies. Premiums may be adjusted annually based on actual
112 qualified group costs to the Lee County Sheriff's Office.

113 (5) Retirement health insurance benefits for employees with
114 15 or more years of service; employer premium
115 payments.--Effective October 1, 1986, and thereafter, it is the

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116 duty of the Sheriff of Lee County to provide annually in his or
117 her budget a sufficient sum of money to pay a portion ~~percentage~~
118 of the cost of the health and hospitalization insurance premiums
119 for employees ~~of members~~ of the Lee County Sheriff's Office who
120 retire ~~from active service~~ after having accumulated at least 15
121 or more years of full-time, active ~~creditable~~ service with the
122 office ~~under the Florida Retirement System~~. Employer premiums ~~The~~
123 ~~health insurance costs~~ payable under this provision are limited
124 to ~~pursuant to this section~~ include ~~premiums for~~ major medical
125 and hospitalization insurance and, ~~but~~ do not include premiums
126 for dental or vision insurance. Retirees may purchase, at their
127 expense, individual or family group dental insurance or vision
128 insurance, or both.

129 (6) Benefits payable under subsection (5).--Benefits
130 payable under subsection (5) are only available to employees who
131 retire from the Florida Retirement System and terminate
132 employment after 15 or more years of service with the Lee County
133 Sheriff's Office. A member of the Florida Retirement System
134 employed prior to October 1, 2009, who has been a full-time
135 member of the Lee County Sheriff's Office for the 10 years
136 immediately preceding his or her retirement may claim up to 5
137 years of previous service with another Florida Retirement System
138 employer subject to verification by the Division of Retirement of
139 the Department of Management Services to meet the 15-year
140 requirement as provided for in subsection (5). Persons hired by
141 the Lee County Sheriff's Office on or after October 1, 2009, are
142 not eligible to claim additional years of service from previous
143 Florida Retirement System employers to qualify for employer-paid
144 health and hospitalization insurance benefits as provided for in

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145 subsection (5).

146 (7) Termination after 15 years of service but prior to
147 receiving a retirement benefit.--If an employee terminates from
148 the Lee County Sheriff's Office after accumulating 15 years or
149 more of full-time service as outlined in subsection (6), but
150 prior to receiving a retirement benefit from the Florida
151 Retirement System, he or she may continue participating in the
152 Lee County Sheriff's Office group health and hospitalization
153 insurance plan by paying the full current group premium rate for
154 individual or family coverage. Upon receiving written
155 notification and documentation from the Florida Retirement System
156 that the former employee has become a retiree of the Florida
157 Retirement System, the Lee County Sheriff's Office shall begin to
158 pay a portion of the retiree's, and dependents' if qualified,
159 health and hospitalization insurance premium from the effective
160 date of retirement. It is the retiree's responsibility to ensure
161 that notification of retirement from the Florida Retirement
162 System is made to the Lee County Sheriff's Office. No retroactive
163 payments may be made due to the retiree's failure to timely
164 notify the Lee County Sheriff's Office of his or her retirement.

165 (8) Retirement benefits from a previous or subsequent
166 employer.--If a retiree, qualified under subsection (6) or
167 subsection (7), is entitled to retirement health insurance
168 benefits paid for by any previous or subsequent employer, the Lee
169 County Sheriff's Office shall be a secondary payor to that
170 coverage.

171 (9) Premium payments by the Lee County Sheriff's Office;
172 employer premium.--The employer premium, the portion of a
173 qualified retiree's health and hospitalization insurance premium

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174 payable by the Lee County Sheriff's Office, is dependent upon the
175 retiree expressing a desire to participate in the Lee County
176 Sheriff's Office group health and hospitalization plan and the
177 following schedule:

178 (a) At 15 years of service the Lee County Sheriff's Office
179 shall pay up to 75 percent of the portion of the retiree's health
180 and hospitalization insurance premium that exceeds the amount of
181 any health insurance subsidy paid to a retiree. For each full
182 month of employment with the Lee County Sheriff's Office beyond
183 15 years the Sheriff's Office shall pay an additional 0.416
184 percent per month through 19 years and 11 months of service. The
185 insured retiree may purchase, at his or her own expense, group
186 coverage for a qualified spouse or dependents. Employee premium
187 payments and payments for insurance coverage of dependents of the
188 retiree are payable by the retiree.

189 (b) At 20 years of service and beyond, the Lee County
190 Sheriff's Office shall pay up to 100 percent of the portion of
191 the retiree's health and hospitalization insurance premium that
192 exceeds the first \$100 of any health insurance subsidy received
193 by a retiree and in addition shall pay 50 percent of the health
194 and hospitalization insurance premium for any qualified spouse or
195 dependents of the retiree. Any employee premium payments and the
196 balance of payments for dependents of the retiree are payable by
197 the retiree or qualified dependent. Any increase or decrease to
198 the health insurance subsidy by the state shall be factored into
199 the provisions of this subsection.

200 (c) Premiums may be adjusted annually based on actual
201 qualified group costs to the Lee County Sheriff's Office.

202 (10) Effect of Medicare eligibility.--At such time as a

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203 retiree or qualified dependent covered under this section becomes
204 eligible for Medicare health insurance, it is his or her
205 responsibility to enroll in and utilize his or her Medicare
206 benefits to pay primary, secondary, or last payments to the
207 extent stated under federal law. The Lee County Sheriff's Office
208 shall treat an eligible retiree or qualified dependent as
209 enrolled in Medicare parts A and B, regardless of actual
210 enrollment, and base its payments on behalf of the retiree or
211 qualified dependent as if the retiree or spouse has utilized his
212 or her Medicare benefits.

213 (11) Method of premium payments.--Any employee premium
214 payments or portions of employee premium payments due from the
215 retiree must be made directly to the Lee County Sheriff's Office
216 either by the retiree or by authorized deduction from his or her
217 Florida Retirement System benefit payments.

218 (12) Limitation on selection of continued insurance
219 benefits.--Retirement insurance benefits are only available to an
220 employee at the time he or she retires from the Florida
221 Retirement System, except as provided in subsection (7). All
222 benefits must be applied for within 60 days of the employee's
223 last physical day of employment. If an employee chooses not to
224 receive any or all retirement benefits or fails to make a
225 selection of benefits during this time period, he or she does not
226 have the option to do so at a later date. Retirees receiving
227 benefits may only add dependents at a later date if a qualifying
228 event has occurred.

229 (13) (a) Death of insured retiree.--Upon the death of an
230 insured retiree, his or her spouse or qualified dependents, or
231 both, may continue to participate in any group health and

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232 hospitalization plan that was in force on them at the time of
233 such death. The death of a retiree shall not be considered a
234 qualifying event to add additional persons or modify existing
235 insurance coverage. Premiums shall not be increased unless there
236 is an overall increase in premiums for active employees.

237 (b) In the event that a current classified employee of the
238 Lee County Sheriff's Office dies or becomes totally and
239 permanently disabled while carrying out the duties of his or her
240 office but does not qualify for benefits under section 112.19,
241 Florida Statutes, the employee shall be considered retired from
242 the Lee County Sheriff's Office at the date of such death or
243 total and permanent disability. This retirement shall qualify the
244 employee and his or her surviving qualified dependents to be
245 insured according to current Sheriff's Office policy and under
246 this section provided that the employee meets all requirements
247 contained in this section as to length of service and selection
248 of benefits.

249 (14) Participation of classified and unclassified
250 members.--This section shall apply to all classified and
251 unclassified members of the Lee County Sheriff's Office alike,
252 provided that they meet all eligibility requirements found in
253 this section. ~~When a retiree receiving this health insurance~~
254 ~~benefit becomes eligible for Medicare, his or her health coverage~~
255 ~~will convert to the Medicare Supplement health insurance.~~

256 ~~(a) In order to receive this benefit, the retiree must have~~
257 ~~served with the Lee County Sheriff's Office for the 10 years~~
258 ~~immediately preceding his or her retirement. The retiree may~~
259 ~~claim up to 5 years of creditable service earned while in the~~
260 ~~employ of another member agency within the Florida Retirement~~

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261 | ~~System. The Lee County Sheriff's Office shall verify all years of~~
262 | ~~creditable service claimed through the Division of Retirement of~~
263 | ~~the Department of Administration.~~

264 | ~~(b) If an employee retires from the Lee County Sheriff's~~
265 | ~~Office after at least 10 years of service with the department,~~
266 | ~~but before reaching retirement age, and has participated in the~~
267 | ~~Florida Retirement System for at least 15 years, he or she may~~
268 | ~~pay his and her or his and her dependent's health insurance costs~~
269 | ~~until he or she begins to receive retirement benefits under the~~
270 | ~~Florida Retirement System. The Lee County Sheriff's Office shall~~
271 | ~~begin to pay a percentage of the employee's health insurance~~
272 | ~~costs when he or she begins to receive such retirement benefits.~~
273 | ~~The retiree shall give the sheriff's office written notice of the~~
274 | ~~date of payment of his or her initial retirement benefit. The Lee~~
275 | ~~County Sheriff's Office shall verify this date through the~~
276 | ~~Division of Retirement of the Department of Administration.~~

277 | ~~(c) The Lee County Sheriff's Office shall base the~~
278 | ~~percentage of a retiree's health insurance costs it will pay upon~~
279 | ~~the number of years of creditable service that the retiree has~~
280 | ~~accumulated in the Florida Retirement System. Fifteen years of~~
281 | ~~creditable service entitles the retiree to have 75 percent of his~~
282 | ~~or her health insurance premiums paid by the sheriff's office.~~
283 | ~~The sheriff's office shall pay an additional 5 percent of the~~
284 | ~~insurance premiums for each year of service in excess of 15 years~~
285 | ~~until reaching a maximum of 100 percent of the premium at 20~~
286 | ~~years of service. The Lee County Sheriff's Office shall pay an~~
287 | ~~additional one-twelfth of 1 percent of the premium for each month~~
288 | ~~served until the full 100 percent is paid.~~

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289 ~~(d) If an employee has health insurance coverage through a~~
290 ~~previous employer, the Lee County Sheriff's Office will be the~~
291 ~~secondary payor.~~

292 ~~(e) If an employee receives a retiree health insurance~~
293 ~~subsidy from the state, the Lee County Sheriff's Office shall~~
294 ~~reduce the amount it pays of the employee's health insurance~~
295 ~~premiums by the amount of the subsidy.~~

296 ~~(f) The Lee County Sheriff's Office shall pay for the~~
297 ~~health insurance coverage of the retiree and 50 percent of his or~~
298 ~~her dependents' health insurance coverage only if the retiree's~~
299 ~~health insurance is paid at 100 percent of the premium at 20~~
300 ~~years of service. A retiree who obtains benefits without~~
301 ~~attaining 20 years of service may pay for the health insurance of~~
302 ~~his or her dependents. Upon a retiree's death, his or her spouse~~
303 ~~may continue the health insurance coverage previously provided by~~
304 ~~the retiree. Premiums must be paid to the Lee County Sheriff's~~
305 ~~Office.~~

306 ~~(g) This retiree health insurance benefit is only available~~
307 ~~to an employee when he or she retires. If the employee does not~~
308 ~~elect to receive the insurance benefit upon retiring, he or she~~
309 ~~does not have the option of receiving the benefit at a later~~
310 ~~date.~~

311 Section 2. This act shall take effect upon becoming a law.