

HB 7147

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1 A bill to be entitled

2 An act relating to health benefits for other-personal-  
3 services employees; amending s. 110.123, F.S.;  
4 revising and providing definitions; providing that the  
5 state group insurance program may develop a separate  
6 benefit plan for full-time other-personal-services  
7 employees; providing that full-time other-personal-  
8 services employees may participate in the state group  
9 insurance program; authorizing premiums for full-time  
10 other-personal-services employees to be paid from  
11 certain appropriated funds; authorizing the Department  
12 of Management Services to contract for a health  
13 benefit plan for full-time other-personal-services  
14 employees; providing contract requirements; amending  
15 s. 110.131, F.S.; authorizing full-time other-  
16 personal-services employees to participate in the  
17 state group insurance program; providing the health  
18 insurance premium rates for full-time other-personal-  
19 services employees; providing an effective date.

20  
21 Be It Enacted by the Legislature of the State of Florida:

22  
23 Section 1. Paragraphs (c) through (n) of subsection (2) of  
24 section 110.123, Florida Statutes, are redesignated as  
25 paragraphs (d) through (o), respectively, present paragraphs (c)  
26 and (f) of subsection (2), paragraphs (f) and (g) of subsection  
27 (3), and paragraph (a) of subsection (4) are amended, a new  
28 paragraph (c) is added to subsection (2), and subsection (13) is

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29 added to that section, to read:

30 110.123 State group insurance program.—

31 (2) DEFINITIONS.—As used in this section, the term:

32 (c) "Full-time other-personal-services employees" means  
33 employees of all branches and agencies of state government and  
34 state universities that are classified as other-personal-  
35 services employees and are also "full-time" as defined in the  
36 Patient Protection and Affordable Care Act, Pub. L. No. 111-148,  
37 124 Stat. 119, as amended by the Health Care and Education  
38 Reconciliation Act of 2010, Pub. L. No. 111-152, 124 Stat. 1029,  
39 and any regulations adopted pursuant to those federal acts.

40 (d)(e) "Full-time state employees" includes all full-time  
41 employees of all branches or agencies of state government  
42 holding salaried positions and paid by state warrant or from  
43 agency funds, and employees paid from regular salary  
44 appropriations for 8 months' employment, including university  
45 personnel on academic contracts. Except as provided in paragraph  
46 (c), but in no case shall "state employee" or "salaried  
47 position" does not include persons paid from other-personal-  
48 services (OPS) funds. "Full-time employees" includes all full-  
49 time employees of the state universities.

50 (g)(f) "Part-time state employee" means any employee of  
51 any branch or agency of state government paid by state warrant  
52 from salary appropriations or from agency funds, and who is  
53 employed for less than the normal full-time workweek established  
54 by the department or, if on academic contract or seasonal or  
55 other type of employment which is less than year-round, is  
56 employed for less than 8 months during any 12-month period, but

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57 | in no case shall "part-time" employee include a person paid from  
58 | other-personal-services (OPS) funds. "Part-time state employee"  
59 | includes any part-time employee of the state universities. Full-  
60 | time other-personal-services employees are not part-time state  
61 | employees.

62 | (3) STATE GROUP INSURANCE PROGRAM.—

63 | (f) Except as provided for in subparagraph (h)2., the  
64 | state contribution toward the cost of any plan in the state  
65 | group insurance program shall be uniform with respect to all  
66 | state employees in a state collective bargaining unit  
67 | participating in the same coverage tier in the same plan. This  
68 | section does not prohibit the development of separate benefit  
69 | plans for officers and employees exempt from the career service,  
70 | ~~or~~ the development of separate benefit plans for each collective  
71 | bargaining unit, or the development of a separate benefit plan  
72 | for full-time other-personal-services employees.

73 | (g) Participation by individuals in the program is  
74 | available to all state officers, full-time state employees, ~~and~~  
75 | part-time state employees, and full-time other-personal-services  
76 | employees; and such participation in the program or any plan is  
77 | voluntary. Participation in the program is also available to  
78 | retired state officers and employees, as defined in paragraph  
79 | (2) (h) ~~(2) (g)~~, who elect at the time of retirement to continue  
80 | coverage under the program, but they may elect to continue all  
81 | or only part of the coverage they had at the time of retirement.  
82 | A surviving spouse may elect to continue coverage only under a  
83 | state group health insurance plan, a TRICARE supplemental  
84 | insurance plan, or a health maintenance organization plan.

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85 (4) PAYMENT OF PREMIUMS; CONTRIBUTION BY STATE; LIMITATION  
 86 ON ACTIONS TO PAY AND COLLECT PREMIUMS.—

87 (a) Except as provided in paragraph (e) with respect to  
 88 law enforcement officers, correctional and correctional  
 89 probation officers, and firefighters, legislative authorization  
 90 through the appropriations act is required for payment by a  
 91 state agency of any part of the premium cost of participation in  
 92 any group insurance plan. Payment by a state agency of any part  
 93 of the premium cost of participation in any group insurance plan  
 94 by other-personal-services employees may be made from funds  
 95 appropriated to the agency in the other-personal-services  
 96 appropriation category or the salary and benefits category.

97 However, the state contribution for full-time employees or part-  
 98 time permanent employees shall continue in the respective  
 99 proportions for up to 6 months for any such officer or employee  
 100 who has been granted an approved parental or medical leave of  
 101 absence without pay.

102 (13) FULL-TIME OTHER-PERSONAL-SERVICES EMPLOYEES.—

103 (a) For the 2014 plan year and subsequent plan years, the  
 104 department may contract for health benefit plans for full-time  
 105 other-personal-services employees. For the purposes of this  
 106 subsection, "plan year" means a calendar year.

107 (b) The contract must include at least one health benefit  
 108 plan that offers minimum essential coverage and is affordable as  
 109 defined in the Patient Protection and Affordable Care Act, Pub.  
 110 L. No. 111-148, 124 Stat. 119, as amended by the Health Care and  
 111 Education Reconciliation Act of 2010, Pub. L. 111-152, 124 Stat.  
 112 1029, and regulations adopted pursuant to those federal acts.

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113 Section 2. Subsection (3) of section 110.131, Florida  
114 Statutes, is amended to read:

115 110.131 Other-personal-services employment.—

116 (3) (a) Unless specifically provided by law, other-  
117 personal-services employees are not eligible for any form of  
118 paid leave, paid holidays, a paid personal day, participation in  
119 state group insurance or retirement benefits, or any other state  
120 employee benefit. Other-personal-services employees may be  
121 included in that part of an agency's recognition and reward  
122 program that recognizes and rewards employees who submit  
123 innovative ideas that increase productivity, eliminate or reduce  
124 state expenditures, improve operations, or generate additional  
125 revenue or who meet or exceed the agency's established criteria  
126 for a project or goal.

127 (b) Full-time other-personal-services employees, as  
128 defined in s. 110.123(2), may participate in the state group  
129 insurance program.

130 Section 3. For the coverage period between January 1,  
131 2014, and June 30, 2014, an employee's share of the health  
132 insurance premium for health benefits described in s.  
133 110.123(13), Florida Statutes, is \$96 per month for individual  
134 coverage and \$136.74 per month for family coverage for employees  
135 filling positions within the full-time other-personal-services  
136 category as defined in s. 110.123(2)(c), Florida Statutes. The  
137 employer shall pay the balance of the premium.

138 Section 4. This act shall take effect July 1, 2013.