

House Bill 4146

Sponsored by Representative MCLAIN, Senator WAGNER, Representatives EVANS, DOHERTY, DRAZAN, LEIF, SMITH G, Senator DEMBROW; Representatives ALONSO LEON, BARKER, CLEM, FAHEY, GOMBERG, GORSEK, HERNANDEZ, HOLVEY, KENY-GUYER, LIVELY, MEEK, MITCHELL, NERON, NOSSE, PILUSO, REARDON, SALINAS, SANCHEZ, SMITH WARNER, SOLLMAN, WILDE, WILLIAMS, WITT, Senators BOQUIST, FREDERICK, GOLDEN, PROZANSKI, ROBLAN (at the request of AFT-Oregon, Oregon Education Association, Oregon Student Association, AAUP-Oregon, SEIU-503) (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that part-time faculty member at public institution of higher education who qualifies for health care benefits will pay 10 percent of insurance premiums for employee coverage. Requires state to pay for remaining costs of insurance premiums out of moneys appropriated to Oregon Educators Benefit Board. Permits institution to agree through either institution policy or collective bargaining to pay portion of health care benefits paid for by employee.

Provides that employees who are eligible to receive health care benefits in manner specified may receive health care benefits from institution only in manner specified. Provides that any savings realized by institution are subject to collective bargaining.

Directs board to determine prior to open enrollment period whether it has received sufficient funds to cover required premium payments. Provides that if board has not received sufficient funds, board may require employee share to increase and that institution is not responsible for paying insurance premiums.

Requires legacy health benefit coverage to be maintained for part-time faculty at institutions who are not eligible for health care benefits under provisions.

Establishes Part-Time Faculty Insurance Fund and continuously appropriates moneys in fund to board.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to employees at public institutions of higher education; creating new provisions; amending
3 ORS 350.355; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 350.355 is amended to read:

6 350.355. (1) [*Subject to ORS 352.237 and any group health and welfare insurance benefit plan de-*
7 *veloped under ORS 352.237,*] A part-time faculty member at a public institution of higher education
8 is eligible for the same health care benefits as full-time faculty members if the part-time faculty
9 member is eligible for membership in the Public Employees Retirement System or another plan au-
10 thorized under ORS chapter 238 or 238A by teaching either at a single public institution of higher
11 education or in aggregate at multiple public institutions of higher education during the prior year.

12 (2)(a) **Except as provided in paragraph (b) of this subsection,** a part-time faculty member at
13 a public institution of higher education shall pay all insurance premiums for health care benefits
14 unless otherwise provided for by the policy of the institution or by collective bargaining at the in-
15 stitution.

16 (b) **For employee-only coverage, a part-time faculty member at a public institution of**
17 **higher education shall pay 10 percent of the insurance premiums for health benefit plans.**

18 (3) **The state shall pay, out of funds appropriated to the Oregon Educators Benefit Board**
19 **by the Legislative Assembly, for the cost of the insurance premiums for health benefit plans**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 described in subsection (2)(b) of this section that are not paid by a part-time faculty member.

2 (4)(a) Prior to each annual open enrollment period during which part-time faculty mem-
 3 bers may select health benefit plans, the board shall determine whether the board has re-
 4 ceived sufficient appropriations to make the payments described in subsection (3) of this
 5 section.

6 (b) If the board determines that it has not received sufficient appropriations:

7 (A) A public institution of higher education is not required to provide moneys for the cost
 8 of the insurance premiums for health benefit plans described in subsection (3) of this section;
 9 and

10 (B) The board may, to the extent the board determines is necessary, increase the per-
 11 centages specified in subsection (2)(b) of this section that a part-time faculty member is re-
 12 quired to pay to receive a health benefit plan.

13 (5) A part-time faculty member at a public institution of higher education who is eligible
 14 for health care benefits under subsection (1) of this section may receive health care benefits
 15 only in the manner provided by this section.

16 (6) The board may make rules to implement this section, including which health benefit
 17 plans are offered to part-time faculty members under this section and how the health benefit
 18 plans that are offered are selected.

19 **SECTION 2.** A public institution of higher education that, on the effective date of this
 20 2020 Act, provided health care benefits to part-time faculty members who are not eligible for
 21 health benefit plans under the amendments to ORS 350.355 by section 1 of this 2020 Act:

22 (1) May not increase the eligibility requirements that must be met by a part-time faculty
 23 member who is not eligible for health benefit plans under the amendments to ORS 350.355
 24 by section 1 of this 2020 Act in order for the part-time faculty member to qualify for health
 25 care benefits from the institution; and

26 (2) Must continue to provide comparable health care benefits to part-time faculty mem-
 27 bers who are not eligible for health benefit plans under the amendments to ORS 350.355 by
 28 section 1 of this 2020 Act.

29 **SECTION 3.** Any realized savings by a public institution of higher education as a result
 30 of the amendments to ORS 350.355 by section 1 of this 2020 Act are considered employment
 31 relations for purposes of collective bargaining under ORS 243.650 to 243.782.

32 **SECTION 4.** The Part-Time Faculty Insurance Fund is established in the State Treasury,
 33 separate and distinct from the General Fund. Interest earned by the Part-Time Faculty In-
 34 surance Fund must be credited to the fund. The fund consists of moneys appropriated, allo-
 35 cated, deposited or transferred to the fund by the Legislative Assembly or otherwise and
 36 interest earned on moneys in the fund. The moneys in the fund are continuously appropri-
 37 ated to the Oregon Educators Benefit Board for the purpose of paying premiums for health
 38 benefit plans for part-time faculty under ORS 350.355.

39 **SECTION 5.** There is appropriated to the Oregon Educators Benefit Board, for the
 40 biennium beginning July 1, 2019, out of the General Fund, the amount of \$____ for deposit
 41 in the Part-Time Faculty Insurance Fund established in section 4 of this 2020 Act, for the
 42 purposes specified in section 4 of this 2020 Act.

43 **SECTION 6.** (1) Except as provided in subsection (2) of this section, the amendments to
 44 ORS 350.355 by section 1 of this 2020 Act apply to health benefit plans offered to part-time
 45 faculty members on or after October 1, 2020.

