

House Bill 2988

Sponsored by Representatives MCLAIN, DRAZAN, EVANS, Senator DEMBROW

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 public institutions of higher education to pay for remaining costs of insurance premiums under process established by Oregon Educators Benefit Board. Permits institution to agree through collective bargaining to pay portion of health care benefits paid for by employee.

Provides that unless otherwise agreed through collective bargaining, 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.

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) **Unless otherwise provided for by collective bargaining, a part-time faculty member**
17 **at a public institution of higher education shall pay 10 percent of the insurance premiums**
18 **for health benefit plans for employee-only coverage.**

19 (3) **The public institutions of higher education that employ a part-time faculty member**
20 **described in subsection (1) of this section shall pay for the cost of the insurance premiums**
21 **for health benefit plans described in subsection (2)(b) of this section that are not paid by a**
22 **part-time faculty member. The payments shall be made in accordance with the process de-**
23 **scribed in subsection (4) of this section.**

24 (4) **The Oregon Educators Benefit Board shall by rule establish a process to bill public**

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 institutions of higher education for the previous academic year's cost of providing the in-
 2 surance premiums for health benefit plans described in subsection (2)(b) of this section that
 3 are not paid by a part-time faculty member. This process must ensure that:

4 (a) The amount paid by each institution is prorated based on the number and share of
 5 teaching load attributable to each institution for each part-time faculty member described
 6 in subsection (1) of this section; and

7 (b) Each institution fully pays the board for the previous academic year's cost of pro-
 8 viding the insurance premiums no later than August 31 of each calendar year.

9 (5) Unless otherwise provided for by collective bargaining, a part-time faculty member
 10 at a public institution of higher education who is eligible for health care benefits under sub-
 11 section (1) of this section may receive health care benefits only in the manner provided by
 12 this section.

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

16 **SECTION 2.** A public institution of higher education that, on the effective date of this
 17 2021 Act, provided health care benefits to part-time faculty members who are not eligible for
 18 health benefit plans under the amendments to ORS 350.355 by section 1 of this 2021 Act:

19 (1) May not increase the eligibility requirements that must be met by a part-time faculty
 20 member who is not eligible for health benefit plans under the amendments to ORS 350.355
 21 by section 1 of this 2021 Act in order for the part-time faculty member to qualify for health
 22 care benefits from the institution; and

23 (2) Must continue to provide comparable health care benefits to part-time faculty mem-
 24 bers who are not eligible for health benefit plans under the amendments to ORS 350.355 by
 25 section 1 of this 2021 Act.

26 **SECTION 3.** Any realized savings by a public institution of higher education as a result
 27 of the amendments to ORS 350.355 by section 1 of this 2021 Act are considered employment
 28 relations for purposes of collective bargaining under ORS 243.650 to 243.782.

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

36 **SECTION 5.** There is appropriated to the Oregon Educators Benefit Board, for the
 37 biennium beginning July 1, 2021, out of the General Fund, the amount of \$_____ for deposit
 38 in the Part-Time Faculty Insurance Fund established in section 4 of this 2021 Act, for the
 39 purposes specified in section 4 of this 2021 Act.

40 **SECTION 6.** (1) Except as provided in subsection (2) of this section, the amendments to
 41 ORS 350.355 by section 1 of this 2021 Act apply to health benefit plans offered to part-time
 42 faculty members on or after October 1, 2021.

43 (2) To the extent that a conflict exists, the terms of collective bargaining agreements and
 44 other contracts entered into before the effective date of this 2021 Act shall prevail over the
 45 amendments to ORS 350.355 by section 1 of this 2021 Act.

1 **SECTION 7.** The Oregon Educators Benefit Board and public institutions of higher edu-
2 cation shall, before the applicability date specified in section 6 of this 2021 Act, take any
3 actions necessary to implement the amendments to ORS 350.355 by section 1 of this 2021 Act
4 on the applicability date specified in section 6 of this 2021 Act.

5 **SECTION 8.** This 2021 Act being necessary for the immediate preservation of the public
6 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
7 on its passage.

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