

SENATE AMENDMENTS TO SENATE BILL 551

By JOINT COMMITTEE ON WAYS AND MEANS

June 23

1 On page 1 of the printed bill, delete lines 5 through 21.

2 Delete pages 2 and 3 and insert:

3 “**SECTION 1.** ORS 350.355 is amended to read:

4 “350.355. (1)(a) [*Subject to ORS 352.237 and any group health and welfare insurance benefit plan*
5 *developed under ORS 352.237,*] **Except as provided in paragraph (b) of this subsection,** a part-
6 time faculty member at a public institution of higher education is eligible for the same **employee-**
7 **only** health care benefits as full-time faculty members if the part-time faculty member is [*eligible for*
8 *membership in the Public Employees Retirement System or another plan authorized under ORS chapter*
9 *238 or 238A by teaching*] **working at a level equal to at least half of a full-time equivalent**
10 **employee** either at a single public institution of higher education or in aggregate at multiple public
11 institutions of higher education during **at least three of the four previous academic terms** [*the*
12 *prior year*].

13 “(b) **The total cost of providing any health benefit plan offered by a public institution of**
14 **higher education to a part-time faculty member under this section may not increase annually**
15 **by more than the annual increase in premium amounts paid for contracted health benefit**
16 **plans that is permitted under ORS 243.135 (8)(b) or 243.866 (9)(b).**

17 “(2)(a) **In order to receive employee-only health care benefits under this section, a part-**
18 **time faculty member must select a home public institution of higher education for the du-**
19 **ration of the benefit year under a process established by each institution. A home public**
20 **institution of higher education selected under this subsection:**

21 “(A) **Must be one at which the part-time faculty member is working during the academic**
22 **term at the time of the application; and**

23 “(B) **Is responsible for:**

24 “(i) **Determining whether the part-time faculty member is eligible to receive health care**
25 **benefits under this section;**

26 “(ii) **Determining, on a semiannual basis, whether a part-time faculty member who was**
27 **found to be eligible to receive health care benefits under sub-subparagraph (i) of this sub-**
28 **paragraph continues to be eligible to receive health care benefits under this section;**

29 “(iii) **Collecting the premiums for health benefit plans that must be paid by the part-time**
30 **faculty member under subsection (3) of this section;**

31 “(iv) **Paying the full cost of the insurance premiums for providing health benefit plans**
32 **to the part-time faculty member, subject to reimbursement as described in subsection (4) of**
33 **this section; and**

34 “(v) **Administering and providing health benefit plans to the part-time faculty member**
35 **in the manner described in this section.**

1 “(b) In order to receive health care benefits under this section, a part-time faculty
2 member must provide the home public institution of higher education with all information
3 necessary for the institution to determine the eligibility of the part-time faculty member to
4 receive health care benefits under this section.

5 “[(2)] (3)(a) Except as provided in paragraph (b) of this subsection, a part-time faculty
6 member at a public institution of higher education shall pay 10 percent of all insurance premiums
7 for health benefit plans *[health care benefits unless otherwise provided for by the policy of the in-*
8 *stitution or by collective bargaining at the institution]*.

9 “(b) A public institution of higher education may provide by collective bargaining at the
10 institution to pay for some or all of the insurance premiums that must otherwise be paid by
11 a part-time faculty member under paragraph (a) of this subsection. The public institution of
12 higher education may not be reimbursed under subsection (4) of this section for the costs
13 the institution incurs to provide health benefit plans under this paragraph.

14 “(4)(a) Every three months a public institution of higher education may request re-
15 imbursement from the Higher Education Coordinating Commission for the cost of paying
16 insurance premiums for providing health benefit plans to each part-time faculty member who
17 has selected the institution as the faculty member’s home public institution of higher edu-
18 cation under subsection (2) of this section.

19 “(b) The commission shall use moneys from the Part-Time Faculty Insurance Fund es-
20 tablished under section 4 of this 2021 Act to fully reimburse each public institution of higher
21 education for all documented costs requested by the institution under this subsection, except
22 for any costs described in subsection (3) of this section.

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

27 “(6) The Higher Education Coordinating Commission may adopt rules necessary to im-
28 plement subsection (4) of this section.

29 “SECTION 2. A public institution of higher education that, on the effective date of this
30 2021 Act, provided health care benefits to part-time faculty members who are not eligible for
31 health care benefits under the amendments to ORS 350.355 by section 1 of this 2021 Act:

32 “(1) May not increase the eligibility requirements that must be met by a part-time fac-
33 ulty member who is not eligible for health care benefits under the amendments to ORS
34 350.355 by section 1 of this 2021 Act in order for the part-time faculty member to qualify for
35 health care benefits from the institution; and

36 “(2) Must continue to provide comparable health care benefits to part-time faculty
37 members who are not eligible for health care benefits under the amendments to ORS 350.355
38 by section 1 of this 2021 Act.

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

42 “SECTION 4. The Part-Time Faculty Insurance Fund is established in the State Treasury,
43 separate and distinct from the General Fund. Interest earned by the Part-Time Faculty In-
44 surance Fund must be credited to the fund. The fund consists of moneys appropriated, allo-
45 cated, deposited or transferred to the fund by the Legislative Assembly or otherwise and

1 interest earned on moneys in the fund. The moneys in the fund are continuously appropri-
2 ated to the Higher Education Coordinating Commission for the purpose of reimbursing public
3 institutions of higher education for the cost of paying premiums for health benefit plans for
4 part-time faculty under ORS 350.355.

5 “**SECTION 5.** There is appropriated to the Higher Education Coordinating Commission,
6 for the biennium beginning July 1, 2021, out of the General Fund, the amount of \$12,900,000
7 for deposit in the Part-Time Faculty Insurance Fund established under section 4 of this 2021
8 Act, for the purposes specified under section 4 of this 2021 Act.

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

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

15 “**SECTION 7.** The Higher Education Coordinating Commission and public institutions of
16 higher education shall, before the applicability date specified in section 6 of this 2021 Act,
17 take any actions necessary to implement the amendments to ORS 350.355 by section 1 of this
18 2021 Act on the applicability date specified in section 6 of this 2021 Act.

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

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