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CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE SENATE BILL 6189

Chapter 8, Laws of 2020

66TH LEGISLATURE

2020 REGULAR SESSION

SCHOOL EMPLOYEES' BENEFITS BOARD--COVERAGE ELIGIBILITY

EFFECTIVE DATE: March 17, 2020

ENGROSSED SUBSTITUTE SENATE BILL 6189

AS AMENDED BY THE HOUSE

Passed Legislature - 2020 Regular Session

State of Washington -- 66th Legislature -- 2020 Regular Session

By Senate Ways & Means (originally sponsored by Senators Wellman, Mullet, Pedersen, Zeiger, Kuderer, Das, Short, and Wilson, C.)

READ FIRST TIME 02/11/20.

AN ACT Relating to school employees' benefits board coverage; amending RCW 28A.300.615; adding new sections to chapter 41.05 RCW; creating new sections; providing expiration dates; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. (1) The joint legislative audit and review committee shall conduct a study to identify the number and types of part-time school district employees and their eligibility for benefits through the school employees' benefits board. The office of the superintendent of public instruction and the health care authority shall assist in providing any data requested by the joint legislative audit and review committee to conduct the study. The study will seek to identify:

(a) The categories and number of employees who worked full-time and less than full-time during the 2018-19 and 2019-20 school years, including ranges of hours worked, how many of those employees were eligible for employer support for benefits each year, and the amount of employer support provided for benefits. The study must summarize the data by major job category, such as substitute teacher, educational staff associate, paraprofessional, bus driver, principal, vice principal, and any other major job categories identified during the review;

(b) The number of certificated and classified employees eligible for school employees' benefits board benefits beginning January 1, 2020, and the number who waived medical coverage by district;

(c) The number of certificated and classified school employee benefit units, including estimated benefit units attributable to pupil transportation and special education, funded in the state budget for school employees' benefits board benefits by district.

(2) The joint legislative audit and review committee shall submit the review to the appropriate committees of the legislature by September 1, 2021. The review shall include recommendations for continued and regular data collection that should be incorporated into the superintendent of public instruction's and the health care authority's regular data and reporting systems.

(3) This section expires January 1, 2022.

NEW SECTION. Sec. 2. (1) The health care authority shall conduct an analysis of the impacts of changes to the requirement that school employers remit premiums for employees that waive medical coverage under RCW 41.05.050(4)(d). The analysis shall consider the estimated impacts to the projected future funding rates and the estimated amount billed to each school district based on the following:

(a) A variable rate for employees waiving medical coverage and that are covered under dental, vision, long-term life and disability, and any other benefits not waived;

(b) A policy allowing members to waive coverage for some or all of the employer paid benefits;

(c) Any other options considered by the authority or as recommended by the school employees' benefits board.

(2) The analysis is due to the relevant fiscal committees of the legislature by September 1, 2021.

(3) This section expires June 30, 2022.

Sec. 3. RCW 28A.300.615 and 2016 c 233 s 8 are each amended to read as follows:

(1) By October 1st of each year, a school district must report to the office of the superintendent of public instruction:

(a) The number of substitute teachers hired per school year;

(b) The number of hours worked by each substitute teacher~~s hired under RCW 28A.410.252 per school year~~;

(c) The number of substitute teachers that received benefits under the school employees' benefits board;

(d) The full daily compensation rate per substitute teacher; and

~~(d)~~ (e) The reason for hiring the substitute teacher.

(2) By January 1st of each year, the office of the superintendent of public instruction must post on its web site the information identified in subsection (1) of this section.

NEW SECTION. Sec. 4. A new section is added to chapter 41.05 RCW to read as follows:

Beginning with the 2022 plan year, individuals are limited to a single enrollment in medical, dental, and vision plans among school employees' benefits board and public employees' benefits board plans. However, individuals may be enrolled in both public employees' benefits board and school employees' benefits board plans as long as those enrollments are across different types of plans, such as medical, dental, and vision. The school employees' benefits board and the public employees' benefits board shall adopt policies to reflect this single enrollment requirement.

NEW SECTION. Sec. 5. A new section is added to chapter 41.05 RCW to read as follows:

(1) A school employee eligible as of February 29, 2020, for the employer contribution towards benefits offered by the school employees' benefits board shall maintain their eligibility for the employer contribution under the following circumstances directly related or in response to the governor's February 29, 2020, proclamation of a state of emergency existing in all counties in the state of Washington related to the novel coronavirus (COVID-19):

(a) During any school closures or changes in school operations for the school employee;

(b) While the school employee is quarantined or required to care for a family member, as defined by RCW 49.46.210(2), who is quarantined; and

(c) In order to take care of a child as defined by RCW 49.46.210(2), when the child's:

(i) School is closed;

(ii) Regular day care facility is closed; or

(iii) Regular child care provider is unable to provide services.

(2) Requirements in subsection (1) of this section expires when the governor's state of emergency related to the novel coronavirus (COVID-19) ends.

(3) When regular school operations resume, school employees shall continue to maintain their eligibility for the employer contribution for the remainder of the school year so long as their work schedule returns to the schedule in place before February 29, 2020, or, if there is a change in schedule, so long as the new schedule, had it been in effect at the start of the school year, would have resulted in the employee being anticipated to work the minimum hours to meet benefits eligibility.

(4) Quarantine, as used in subsection (1)(b) includes only periods of isolation required by the federal government, a foreign national government, a state or local public health official, a health care provider, or an employer.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

Passed by the Senate March 10, 2020.

Passed by the House March 10, 2020.

Approved by the Governor March 17, 2020.

Filed in Office of Secretary of State March 17, 2020.

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