

**As Passed by the House**

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**H. B. No. 185**

**Representatives Schmidt, Allen, Setzer, Seitz, Aslanides, C. Evans, Olman,  
Schneider, Schaffer, Raga, Webster, Buehrer, Skindell, Beatty, Brown,  
Chandler, Cirelli, Collier, Daniels, DeBose, Domenick, Hartnett, Harwood,  
Hughes, Jolivette, Key, Miller, Otterman, S. Patton, Perry, Price, Redfern,  
Reidelbach, Seaver, S. Smith, D. Stewart, J. Stewart, Strahorn, Yates**

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**A B I L L**

To amend sections 124.84, 124.841, and 505.60 of the 1  
Revised Code to permit the state and political 2  
subdivisions to pay some or all of the premium for 3  
their employees' long-term care insurance. 4

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 124.84, 124.841, and 505.60 of the 5  
Revised Code be amended to read as follows: 6

**Sec. 124.84.** (A) The department of administrative services, 7  
in consultation with the superintendent of insurance and subject 8  
to division (D) of this section, shall negotiate and contract with 9  
one or more insurance companies or health insuring corporations 10  
authorized to operate or do business in this state for the 11  
purchase of a policy of long-term care insurance covering all 12  
state employees who are paid directly by warrant of the auditor of 13  
state, including elected state officials. Any policy purchased 14  
under this division shall be negotiated and entered into in 15  
accordance with the competitive selection procedures specified in 16

Chapter 125. of the Revised Code. As used in this section, 17  
"long-term care insurance" has the same meaning as in section 18  
3923.41 of the Revised Code. 19

(B) Any elected state official or state employee paid 20  
directly by warrant of the auditor of state may elect to 21  
participate in any long-term care insurance policy purchased under 22  
division (A) of this section ~~and any official or employee who does~~ 23  
~~so shall be responsible for paying the entire premium charged,~~ 24  
~~which shall be deducted from the official's or employee's salary~~ 25  
~~or wage and be remitted by the auditor of state directly to the~~ 26  
~~insurance company or health insuring corporation. All or any~~ 27  
portion of the premium charged may be paid by the state. 28  
Participation in the policy may include the dependents and family 29  
members of the elected state official or state employee. 30

If a participant in a long-term care insurance policy leaves 31  
employment, the participant and the participant's dependents and 32  
family members may, at their election, continue to participate in 33  
a policy established under this section ~~in the same manner as if~~ 34  
~~the participant had not left employment. The manner of payment and~~ 35  
the portion of premium charged the participant, dependent, and 36  
family member shall be established pursuant to division (E) of 37  
this section. 38

(C) Any long-term care insurance policy purchased under this 39  
section or section 124.841 or 145.581 of the Revised Code shall 40  
provide for all of the following with respect to the premiums 41  
charged for the policy: 42

(1) They shall be set at the entry age of the official or 43  
employee when first covered by the policy and shall not increase 44  
except as a class during coverage under the policy. 45

(2) They shall be based on the class of all officials or 46  
employees covered by the policy. 47

(3) They shall continue, pursuant to section 145.581 of the Revised Code, after the retirement of the official or employee who is covered under the policy, at the rate in effect on the date of the official's or employee's retirement.

(D) Prior to entering into a contract with an insurance company or health insuring corporation for the purchase of a long-term care insurance policy under this section, the department shall request the superintendent of insurance to certify the financial condition of the company or corporation. The department shall not enter into the contract if, according to that certification, the company or corporation is insolvent, is determined by the superintendent to be potentially unable to fulfill its contractual obligations, or is placed under an order of rehabilitation or conservation by a court of competent jurisdiction or under an order of supervision by the superintendent.

(E) The department shall adopt rules in accordance with section 111.15 of the Revised Code governing long-term care insurance purchased under this section. ~~The rules shall establish methods of payment for participation under this section, which may include establishment of a payroll deduction plan~~ All or any portion of the premium charged the participants, dependents, and family members shall be paid in such manner or combination of manners as the department determines.

**Sec. 124.841.** (A) As used in this section:

(1) "Long-term care insurance" has the same meaning as in section 3923.41 of the Revised Code.

(2) "Political subdivision" has the same meaning as in section 9.833 of the Revised Code.

(B) Any political subdivision may negotiate with and may

contract with one or more insurance companies or health insuring 78  
corporations authorized to operate or do business in this state 79  
for the purchase of a policy of long-term care insurance covering 80  
all elected officials and employees of the political subdivision. 81  
The contract may be entered into without competitive bidding. Any 82  
elected official or employee of a political subdivision may elect 83  
to participate in any long-term care insurance policy that the 84  
political subdivision purchases under this division ~~and any~~ 85  
~~official or employee who does so shall be responsible for paying~~ 86  
~~the entire premium charged, which shall be deducted from the~~ 87  
~~official's or employee's salary or wage and be remitted directly~~ 88  
~~to the insurance company or health insuring corporation.~~ 89

(C) Any long-term care insurance policy entered into under 90  
this section is subject to division (C) of section 124.84 of the 91  
Revised Code. 92

(D) All or any portion of the premium charged may be paid by 93  
the political subdivision. The political subdivision shall 94  
establish a manner or manners of payment for participants and the 95  
political subdivision. 96

**Sec. 505.60.** (A) As provided in this section and section 97  
505.601 of the Revised Code, the board of township trustees of any 98  
township may procure and pay all or any part of the cost of 99  
insurance policies that may provide benefits for hospitalization, 100  
surgical care, major medical care, disability, dental care, eye 101  
care, medical care, hearing aids, prescription drugs, or sickness 102  
and accident insurance, or a combination of any of the foregoing 103  
types of insurance for township officers and employees. The board 104  
of township trustees of any township may negotiate and contract 105  
for the purchase of a policy of long-term care insurance for 106  
township officers and employees pursuant to section 124.841 of the 107  
Revised Code. 108

(B) If the board procures any insurance policies under this 109  
section, the board shall provide uniform coverage under these 110  
policies for township officers and full-time township employees 111  
and their immediate dependents, and may provide coverage under 112  
these policies for part-time township employees and their 113  
immediate dependents, from the funds or budgets from which the 114  
officers or employees are compensated for services, such policies 115  
to be issued by an insurance company duly authorized to do 116  
business in this state. Any township officer or employee may 117  
refuse to accept the insurance coverage without affecting the 118  
availability of such insurance coverage to other township officers 119  
and employees. 120

The board may also contract for group health care services 121  
with health insuring corporations holding certificates of 122  
authority under Chapter 1751. of the Revised Code for township 123  
officers and employees. If the board so contracts, it shall 124  
provide uniform coverage under any such contracts for township 125  
officers and full-time township employees and their immediate 126  
dependents and may provide coverage under such contracts for 127  
part-time township employees and their immediate dependents, 128  
provided that each officer and employee so covered is permitted 129  
to: 130

(1) Choose between a plan offered by an insurance company and 131  
a plan offered by a health insuring corporation, and provided 132  
further that the officer or employee pays any amount by which the 133  
cost of the plan chosen exceeds the cost of the plan offered by 134  
the board under this section; 135

(2) Change the choice made under division (B) of this section 136  
at a time each year as determined in advance by the board. 137

An addition of a class or change of definition of coverage to 138  
the plan offered by the board may be made at any time that it is 139

determined by the board to be in the best interest of the 140  
township. If the total cost to the township of the revised plan 141  
for any trustee's coverage does not exceed that cost under the 142  
plan in effect during the prior policy year, the revision of the 143  
plan does not cause an increase in that trustee's compensation. 144

(C) If any township officer or employee is denied coverage 145  
under a health care plan procured under division (B) of this 146  
section or if any township officer or employee elects not to 147  
participate in the township's health care plan, the township may 148  
reimburse the officer or employee for each out-of-pocket premium 149  
that the officer or employee incurs for insurance policies 150  
described in division (A) of this section that the officer or 151  
employee otherwise obtains, but not to exceed an amount equal to 152  
the average premium paid by the township for its officers and 153  
employees under policies it procures under division (B) of this 154  
section. 155

(D) The board may provide the benefits authorized under this 156  
section, without competitive bidding, by contributing to a health 157  
and welfare trust fund administered through or in conjunction with 158  
a collective bargaining representative of the township employees. 159

The board may also provide the benefits described in this 160  
section through an individual self-insurance program or a joint 161  
self-insurance program as provided in section 9.833 of the Revised 162  
Code. 163

(E) If a board of township trustees fails to pay one or more 164  
premiums for a policy, contract, or plan of insurance or health 165  
care services authorized by division (A) or (B) of this section 166  
and the failure causes a lapse, cancellation, or other termination 167  
of coverage under the policy, contract, or plan, it may reimburse 168  
a township officer or employee for, or pay on behalf of the 169  
officer or employee, any expenses incurred that would have been 170  
covered under the policy, contract, or plan. 171

(F) As used in this section and section 505.601 of the Revised Code:

(1) "Part-time township employee" means a township employee who is hired with the expectation that the employee will work not more than one thousand five hundred hours in any year.

(2) "Premium" does not include any deductible or health care costs paid directly by a township officer or employee.

**Section 2.** That existing sections 124.84, 124.841, and 505.60 of the Revised Code are hereby repealed.