

**As Introduced**

**130th General Assembly  
Regular Session  
2013-2014**

**S. B. No. 385**

**Senator Brown**

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**A B I L L**

To amend section 145.58 of the Revised Code to 1  
provide that Public Employees Retirement System 2  
members retiring on or after January 1, 2015, who 3  
have attained age sixty with fifteen or more years 4  
but less than twenty years of service credit on 5  
that date, are treated as retiring on or before 6  
December 1, 2014, for purposes of qualifying for 7  
any retiree health care coverage provided by the 8  
Retirement System and to declare an emergency. 9

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

**Section 1.** That section 145.58 of the Revised Code be amended 10  
to read as follows: 11

**Sec. 145.58.** (A) The public employees retirement board shall 12  
adopt rules establishing eligibility for any coverage provided 13  
under this section. The rules shall base eligibility on years and 14  
types of service credit earned by members. Eligibility 15  
determinations shall be made in accordance with the rules, except 16  
~~that an~~ as follows: 17

(1) For purposes of determining eligibility for any coverage 18  
provided under this section, a member with a retirement effective 19  
date on or after January 1, 2015, who has attained age sixty with 20

fifteen or more years but less than twenty years of service credit 21  
on January 1, 2015, shall be treated as having a retirement 22  
effective date on or before December 1, 2014; 23

(2) An individual who, as a result of making a false 24  
statement in an attempt to secure a benefit under this section, is 25  
convicted of violating section 2921.13 of the Revised Code is 26  
ineligible for coverage. 27

(B) The board may enter into agreements with insurance 28  
companies, health insuring corporations, or government agencies 29  
authorized to do business in the state for issuance of a policy or 30  
contract of health, medical, hospital, or surgical benefits, or 31  
any combination thereof, for eligible individuals receiving age 32  
and service retirement or a disability or survivor benefit 33  
subscribing to the plan, or for PERS retirants employed under 34  
section 145.38 of the Revised Code, for coverage of benefits in 35  
accordance with division (C)(2) of section 145.38 of the Revised 36  
Code. Notwithstanding any other provision of this chapter, the 37  
policy or contract may also include coverage for any eligible 38  
individual's spouse and dependent children and for any of the 39  
eligible individual's sponsored dependents as the board determines 40  
appropriate. If all or any portion of the policy or contract 41  
premium is to be paid by any individual receiving age and service 42  
retirement or a disability or survivor benefit, the individual 43  
shall, by written authorization, instruct the board to deduct the 44  
premium agreed to be paid by the individual to the company, 45  
corporation, or agency. 46

The board may contract for coverage on the basis of part or 47  
all of the cost of the coverage to be paid from appropriate funds 48  
of the public employees retirement system. The cost paid from the 49  
funds of the system shall be included in the employer's 50  
contribution rate provided by sections 145.48 and 145.51 of the 51  
Revised Code. The board may by rule provide coverage to 52

individuals who are not eligible under the rules adopted under 53  
division (A) of this section if the coverage is provided at no 54  
cost to the retirement system. The board shall not pay or 55  
reimburse the cost for coverage under this section or section 56  
145.584 of the Revised Code for any such individual. 57

The board may provide for self-insurance of risk or level of 58  
risk as set forth in the contract with the companies, 59  
corporations, or agencies, and may provide through the 60  
self-insurance method specific benefits as authorized by rules of 61  
the board. 62

(C) The board shall, beginning the month following receipt of 63  
satisfactory evidence of the payment for coverage, pay monthly to 64  
each recipient of service retirement, or a disability or survivor 65  
benefit under the public employees retirement system who is 66  
eligible for coverage under part B of the medicare program 67  
established under Title XVIII of "The Social Security Act 68  
Amendments of 1965," 79 Stat. 301 (1965), 42 U.S.C.A. 1395j, as 69  
amended, an amount determined by the board for such coverage, 70  
except that the board shall make no such payment to any individual 71  
who is not eligible for coverage under the rules adopted under 72  
division (A) of this section or pay an amount that exceeds the 73  
amount paid by the recipient for the coverage. 74

At the request of the board, the recipient shall certify to 75  
the retirement system the amount paid by the recipient for 76  
coverage described in this division. 77

(D) The board shall establish by rule requirements for the 78  
coordination of any coverage, payment, or benefit provided under 79  
this section or section 145.584 of the Revised Code with any 80  
similar coverage, payment, or benefit made available to the same 81  
individual by the Ohio police and fire pension fund, state 82  
teachers retirement system, school employees retirement system, or 83  
state highway patrol retirement system. 84

(E) The board shall make all other necessary rules pursuant 85  
to the purpose and intent of this section. 86

**Section 2.** That existing section 145.58 of the Revised Code 87  
is hereby repealed. 88

**Section 3.** This act is hereby declared to be an emergency 89  
measure necessary for the immediate preservation of the public 90  
peace, health, and safety. The reason for such necessity is that 91  
immediate action is needed to ensure that Public Employees 92  
Retirement System members retiring on or after January 1, 2015, 93  
who are treated under the act as retiring on or before December 1, 94  
2014, qualify for any retiree health care coverage provided by the 95  
Retirement System. Therefore, this act shall go into immediate 96  
effect. 97