

#### **2.40 Membership in state insurance plans.**

1. *a.* A member of the general assembly may elect to become a member of a state group insurance plan for employees of the state established under [chapter 509A](#) subject to the following conditions:

(1) The member shall be eligible for all state group insurance plans on the basis of enrollment rules established for the largest number of full-time state employees of the executive branch, other than employees of the state board of regents, that are excluded from collective bargaining as provided in [chapter 20](#).

(2) The member shall pay that portion of the total premium for the plan selected on the same basis as paid by the largest number of full-time state employees of the executive branch, other than employees of the state board of regents, that are excluded from collective bargaining as provided in [chapter 20](#).

(3) The member shall authorize a payroll deduction of the premium due according to the member's pay plan selected pursuant to [section 2.10, subsection 4](#).

*b.* A member of the general assembly may continue membership in a state group insurance plan without reapplication during the member's tenure as a member of consecutive general assemblies. For the purpose of electing to become a member of the state health or medical service group insurance plan, a member of the general assembly has the status of a "new hire", full-time state employee following each election of that member in a general or special election, or during the first subsequent annual open enrollment.

*c.* In lieu of membership in a state health or medical group insurance plan, a member of the general assembly may elect to receive reimbursement for the costs paid by the member for a continuation of a group coverage (COBRA) health or medical insurance plan. The member shall apply for reimbursement by submitting evidence of payment for a COBRA health or medical insurance plan. The maximum reimbursement shall be no greater than the state's contribution for health or medical insurance family plan II.

*d.* A member of the general assembly who elects to become a member of a state health or medical group insurance plan shall be exempted from preexisting medical condition waiting periods. A member of the general assembly may change programs or coverage under the state health or medical service group insurance plan during the month of January of odd-numbered years, but program and coverage change selections shall be subject to the enrollment rules established for full-time state employees excluded from collective bargaining as provided in [chapter 20](#).

*e.* A person who has been a member of the general assembly for two years and who has elected to be a member of a state health or medical group insurance plan may continue to be a member of such state health or medical group insurance plan by requesting continuation in writing to the finance officer within thirty-one days after leaving office. The continuing former member of the general assembly shall pay the total premium for the state plan and shall have the same rights to change programs or coverage as state employees. This paragraph shall not be construed to permit a former member to become a member of a state health or medical group insurance plan providing programs or coverage of a type that the former member did not elect to continue pursuant to this paragraph.

*f.* In the event of the death of a former member of the general assembly who has elected to continue to be a member of a state health or medical group insurance plan, the surviving spouse of the former member whose insurance would otherwise terminate because of the death of the former member may elect to continue to be a member of such state health or medical group insurance plan by requesting continuation in writing to the finance officer within thirty-one days after the death of the former member. The surviving spouse of the former member shall pay the total premium for the state plan and shall have the same rights to change programs or coverage as state employees. For purposes of this paragraph, health or medical programs or coverage and dental programs or coverage are to be treated separately and the rights to change programs or coverage apply only to the type of programs or coverage that the continuing former member has elected to continue.

2. A part-time employee of the general assembly may elect to become a member of a state group insurance plan for employees of the state established under [chapter 509A](#) subject to the following conditions:

a. The part-time employee shall be eligible for all state group insurance plans on the basis of enrollment rules established for full-time state employees excluded from collective bargaining as provided in [chapter 20](#) and shall have the same rights to change programs or coverage as are afforded such state employees.

b. The part-time employee shall pay the total premium.

c. A part-time employee may continue membership in a state group insurance plan without reapplication during the employee's employment during consecutive sessions of the general assembly. For the purpose of electing to become a member of the state group insurance plan, a part-time employee of the general assembly has the status of a "new hire", full-time state employee when the employee is initially eligible or during the first subsequent enrollment change period.

d. (1) A part-time employee of the general assembly who elects membership in a state group insurance plan shall state each year whether the membership is to extend through the interim period between consecutive sessions of the general assembly.

(2) If the membership is to extend through the interim period the part-time employee shall authorize payment of the total annual premium through direct payment of the monthly premium for the plan selected to the state group insurance plan provider.

(3) The part-time employee shall notify the finance officer within thirty-one days after the conclusion of the general assembly whether the person's decision to extend the membership through the interim period is confirmed.

e. A member of a state group insurance plan pursuant to [this subsection](#) shall have the same rights upon final termination of employment as a part-time employee as are afforded full-time state employees excluded from collective bargaining as provided in [chapter 20](#).

f. A part-time employee of the general assembly who elects membership in a state life insurance plan shall authorize payment of the premium through a total of two payments during each annual period made to the department of administrative services on dates prescribed by the department.

3. A full-time employee of the general assembly may elect to become a member of a state group insurance plan for employees of the state established under [chapter 509A](#) subject to the following conditions:

a. The full-time employee shall be eligible for all state group insurance plans on the basis of enrollment rules established for the largest number of full-time state employees of the executive branch, other than employees of the state board of regents, that are excluded from collective bargaining as provided in [chapter 20](#) and shall have the same rights to change programs or coverage as are afforded such state employees.

b. The full-time employee shall pay that portion of the total premium for the plan selected on the same basis as paid by the largest number of full-time state employees of the executive branch, other than employees of the state board of regents, that are excluded from collective bargaining as provided in [chapter 20](#).

c. A member of a state group insurance plan pursuant to [this subsection](#) shall have the same rights upon final termination of employment as are afforded the largest number of full-time state employees, other than employees of the state board of regents, that are excluded from collective bargaining as provided in [chapter 20](#).

[83 Acts, ch 205, §21; 88 Acts, ch 1267, §14; 89 Acts, ch 303, §14; 90 Acts, ch 1122, §1, 2; 95 Acts, ch 211, §15; 2003 Acts, ch 145, §286; 2005 Acts, ch 52, §1; 2008 Acts, ch 1031, §2; 2017 Acts, ch 35, §1 – 5](#)

Limitation on additional coverage benefits, lower costs, or other enhancements of group health insurance coverage provided to general assembly members and employees on or after March 7, 2011; 2011 Acts, ch 122, §1, 5

2017 amendments take effect April 12, 2017, and apply to a member of the general assembly or full-time employee of the general assembly electing to become or to continue as a member of a state group insurance plan established anew under chapter 509A that becomes effective on or after April 12, 2017; 2017 Acts, ch 35, §4, 5

Subsection 1, paragraph a, subparagraphs (1) and (2) amended

Subsection 1, paragraph a, subparagraph (4) stricken

NEW subsection 3