

By: Representatives Massengill, Steverson,
Lancaster, Byrd

To: Insurance

HOUSE BILL NO. 155
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 25-15-7, MISSISSIPPI CODE OF 1972, TO
2 PROHIBIT COVERAGE UNDER THE STATE HEALTH INSURANCE PLAN OF HEARING
3 AIDS FOR INDIVIDUALS OVER THE AGE OF 21 YEARS; TO AMEND SECTION
4 25-15-15, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROHIBITION ON
5 THE HEALTH INSURANCE MANAGEMENT BOARD FOR IMPOSING A SURCHARGE
6 BASED ON THE USE OR NONUSE OF TOBACCO-RELATED PRODUCTS, AND TO
7 EXTEND THE REPEALER ON THE AUTHORITY OF THE BOARD TO COLLECT
8 PREMIUM PAYMENTS FROM PARTICIPANTS IN THE PLAN; AND FOR RELATED
9 PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** Section 25-15-7, Mississippi Code of 1972, is
12 amended as follows:

13 25-15-7. Such health insurance shall not include expense
14 incurred by or on account of an individual prior to July 1, 1972,
15 as to him; dental care and treatment, except dental surgery and
16 appliances to the extent necessary for the correction of damage
17 caused by accidental injury while covered by the plan, or as a
18 direct result of disease covered by the plan; eyeglasses, hearing
19 aids for individuals over the age of twenty-one (21) years, and
20 examinations for the prescription or fitting thereof; cosmetic
21 surgery or treatment, except to the extent necessary for



22 correction of damage by accidental injury while covered by the
23 plan or as a direct result of disease covered by the plan;
24 services received in a hospital owned or operated by the United
25 States government for which no charge is made; services received
26 for injury or sickness due to war or any act of war, whether
27 declared or undeclared, which war or act of war shall have
28 occurred after July 1, 1972; expense for which the individual is
29 not required to make payment; expenses to the extent of benefits
30 provided under any employer group plan other than this plan, in
31 which the state participates in the cost thereof; and such other
32 expenses as may be excluded by regulations of the board.

33 **SECTION 2.** Section 25-15-15, Mississippi Code of 1972, is
34 amended as follows:

35 25-15-15. (1) The board is authorized to determine the
36 manner in which premiums and contributions by the state agencies,
37 local school districts, colleges, universities, community/junior
38 colleges and public libraries shall be collected to provide the
39 self-insured health insurance program for employees as provided
40 under this article. The state shall provide fifty percent (50%)
41 of the cost of the above life insurance plan for all active
42 full-time employees. The state shall provide one hundred percent
43 (100%) of the cost of the health insurance plan for active
44 full-time employees initially employed before January 1, 2006,
45 except as otherwise provided in this section. For active
46 full-time employees initially employed on or after January 1,



47 2006, the state shall provide one hundred percent (100%) of the
48 cost of a basic level of health insurance, except as otherwise
49 provided in this section, and the employees may pay additional
50 amounts to purchase additional benefits or levels of coverage
51 offered under the plan. The board, if determined to be necessary,
52 may assess active full-time employees a portion of the active
53 employee premium in an amount not to exceed Twenty Dollars
54 (\$20.00) per month, notwithstanding any language in this section
55 to the contrary. All active full-time employees shall be given
56 the opportunity to purchase coverage for their eligible dependents
57 with the premiums for such dependent coverage, as well as the
58 employee's fifty percent (50%) share for his life insurance
59 coverage, to be deductible from the employee's salary by the
60 agency, department or institution head, which deductions, together
61 with the fifty percent (50%) share of such life insurance premiums
62 of such employing agency, department or institution head from
63 funds appropriated to or authorized to be expended by the
64 employing agency, department or institution head, shall be
65 deposited directly into a depository bank or special fund in the
66 State Treasury, as determined by the board. These funds and
67 interest earned on these funds may be used for the disbursement of
68 claims and shall be exempt from the appropriation process.

69 (2) The state shall provide annually, by line item in the
70 Mississippi Library Commission appropriation bill, such funds to
71 pay one hundred percent (100%) of the cost of health insurance



72 under the State and School Employees Health Insurance Plan, or any
73 lesser percentage of the cost that is not assessed to the
74 employees by the board, for full-time library staff members in
75 each public library in Mississippi initially employed before
76 January 1, 2006. For full-time library staff members initially
77 employed on or after January 1, 2006, the state shall provide one
78 hundred percent (100%) of the cost of a basic level of health
79 insurance under the State and School Employees Health Insurance
80 Plan, or any lesser percentage of the cost that is not assessed to
81 the employees by the board, and the employees may pay additional
82 amounts to purchase additional benefits or levels of coverage
83 offered under the plan. The commission shall allot to each public
84 library a sufficient amount of those funds appropriated to pay the
85 costs of insurance for eligible employees. Any funds so
86 appropriated by line item which are not expended during the fiscal
87 year for which such funds were appropriated shall be carried
88 forward for the same purposes during the next succeeding fiscal
89 year. If any premiums for the health insurance and/or late
90 charges and interest penalties are not paid by a public library in
91 a timely manner, as defined by the board, the Mississippi Library
92 Commission, upon notice by the board, shall immediately withhold
93 all subsequent disbursements of funds to that public library.

94 (3) The state shall annually provide one hundred percent
95 (100%) of the cost of the health insurance plan, or any lesser
96 percentage of the cost that is not assessed to the employees by



97 the board, for public school district employees who work no less
98 than twenty (20) hours during each week and regular nonstudent
99 school bus drivers, if such employees and school bus drivers were
100 initially employed before January 1, 2006. For such employees and
101 school bus drivers initially employed on or after January 1, 2006,
102 the state shall provide one hundred percent (100%) of the cost of
103 a basic level of health insurance under the State and School
104 Employees Health Insurance Plan, or any lesser percentage of the
105 cost that is not assessed to the employees by the board, and the
106 employees may pay additional amounts to purchase additional
107 benefits or levels of coverage offered under the plan. Where
108 federal funding is allowable to defray, in full or in part, the
109 cost of participation in the program by district employees who
110 work no less than twenty (20) hours during the week and regular
111 nonstudent bus drivers, whose salaries are paid, in full or in
112 part, by federal funds, the allowance under this section shall be
113 reduced to the extent of such federal funding. Where the use of
114 federal funds is allowable but not available, it is the intent of
115 the Legislature that school districts contribute the cost of
116 participation for such employees from local funds, except that
117 parent fees for child nutrition programs shall not be increased to
118 cover such cost.

119 (4) The state shall provide annually, by line item in the
120 community/junior college appropriation bill, such funds to pay one
121 hundred percent (100%) of the cost of the health insurance plan,



122 or any lesser percentage of the cost that is not assessed to the
123 employees by the board, for community/junior college district
124 employees initially employed before January 1, 2006, who work no
125 less than twenty (20) hours during each week. For such employees
126 initially employed on or after January 1, 2006, the state shall
127 provide one hundred percent (100%) of the cost of a basic level of
128 health insurance under the State and School Employees Health
129 Insurance Plan, or any lesser percentage of the cost that is not
130 assessed to the employees by the board, and the employees may pay
131 additional amounts to purchase additional benefits or levels of
132 coverage offered under the plan.

133 (5) When the use of federal funding is allowable to defray,
134 in full or in part, the cost of participation in the insurance
135 plan by community/junior college district employees who work no
136 less than twenty (20) hours during each week, whose salaries are
137 paid, in full or in part, by federal funds, the allowance under
138 this section shall be reduced to the extent of the federal
139 funding. Where the use of federal funds is allowable but not
140 available, it is the intent of the Legislature that
141 community/junior college districts contribute the cost of
142 participation for such employees from local funds.

143 (6) Any community/junior college district may contribute to
144 the cost of coverage for any district employee from local
145 community/junior college district funds, and any public school
146 district may contribute to the cost of coverage for any district



147 employee from nonminimum program funds. Any part of the cost of
148 such coverage for participating employees of public school
149 districts and public community/junior college districts that is
150 not paid by the state shall be paid by the participating
151 employees, which shall be deducted from the salaries of the
152 employees in a manner determined by the board.

153 (7) Any funds appropriated for the cost of insurance by line
154 item in the community/junior colleges appropriation bill which are
155 not expended during the fiscal year for which such funds were
156 appropriated shall be carried forward for the same purposes during
157 the next succeeding fiscal year.

158 (8) The board may establish and enforce late charges and
159 interest penalties or other penalties for the purpose of requiring
160 the prompt payment of all premiums for life and health insurance
161 permitted under this chapter. All funds in excess of the amount
162 needed for disbursement of claims shall be deposited in a special
163 fund in the State Treasury to be known as the State and School
164 Employees Insurance Fund. The State Treasurer shall invest all
165 funds in the State and School Employees Insurance Fund and all
166 interest earned shall be credited to the State and School
167 Employees Insurance Fund. Such funds shall be placed with one or
168 more depositories of the state and invested on the first day such
169 funds are available for investment in certificates of deposit,
170 repurchase agreements or in United States Treasury bills or as
171 otherwise authorized by law for the investment of Public



172 Employees' Retirement System funds, as long as such investment is
173 made from competitive offering and at the highest and best market
174 rate obtainable consistent with any available investment
175 alternatives; however, such investments shall not be made in
176 shares of stock, common or preferred, or in any other investments
177 which would mature more than one (1) year from the date of
178 investment. The board shall have the authority to draw from this
179 fund periodically such funds as are necessary to operate the
180 self-insurance plan or to pay to the insurance carrier the cost of
181 operation of this plan, it being the purpose to limit the amount
182 of participation by the state to fifty percent (50%) of the cost
183 of the life insurance program and not to limit the contracting for
184 additional benefits where the cost will be paid in full by the
185 employee. The state shall not share in the cost of coverage for
186 retired employees.

187 (9) The board shall also provide for the creation of an
188 Insurance Reserve Fund and funds therein shall be invested by the
189 State Treasurer with all interest earned credited to the State and
190 School Employees Insurance Fund.

191 (10) Any retired employee electing to purchase retired life
192 and health insurance will have the full cost of such insurance
193 deducted monthly from his State of Mississippi retirement plan
194 check or direct billed for the cost of the premium if the
195 retirement check is insufficient to pay for the premium. If the
196 board determines actuarially that the premium paid by the



197 participating retirees adversely affects the overall cost of the
198 plan to the state, then the board may impose a premium surcharge,
199 not to exceed fifteen percent (15%), upon such participating
200 retired employees who are under the age for Medicare eligibility
201 and who were initially employed before January 1, 2006. For
202 participating retired employees who are under the age for Medicare
203 eligibility and who were initially employed on or after January 1,
204 2006, the board may impose a premium surcharge in an amount the
205 board determines actuarially to cover the full cost of insurance.

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207 (* * * 11) This section shall stand repealed on July
208 1, * * * 2026.

209 **SECTION 3.** This act shall take effect and be in force from
210 and after July 1, 2022.

