

---

---

# A BILL FOR AN ACT

RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND  
COMPLIANCE WITH FEDERAL AND STATE LAWS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the definition of  
2 "dependent-beneficiary" in section 87A-1, Hawaii Revised  
3 Statutes, should be amended to be consistent with the federal  
4 Patient Protection and Affordable Care Act of 2010, which  
5 prohibits restricting health insurance coverage to only  
6 unmarried dependents and dependents who live with the employee-  
7 beneficiary, and denying health insurance coverage to married  
8 dependents and dependents who do not live with the employee-  
9 beneficiary. The legislature further finds that chapter 87A,  
10 Hawaii Revised Statutes, should be amended to be consistent with  
11 chapter 572B, Hawaii Revised Statutes, regarding civil unions.

12           The purposes of this Act are to:

13           (1) Bring the definition of "dependent-beneficiary" into  
14           conformance with the federal Patient Protection and  
15           Affordable Care Act of 2010; and



1 (2) Bring references to marriages into conformance with  
2 chapter 572B, Hawaii Revised Statutes.

3 SECTION 2. Section 87A-1, Hawaii Revised Statutes, is  
4 amended by amending the definition of "dependent-beneficiary" to  
5 read as follows:

6 ""Dependent-beneficiary" means an employee-beneficiary's:

7 (1) Spouse;

8 (2) [~~Unmarried child~~] Child deemed eligible by the board,  
9 including a legally adopted child, stepchild, foster  
10 child, or recognized natural child [~~who lives with the~~  
11 ~~employee-beneficiary~~]; and

12 (3) Unmarried child regardless of age who is incapable of  
13 self-support because of a mental or physical  
14 incapacity, which existed prior to the unmarried  
15 child's reaching the age of nineteen years."

16 SECTION 3. Section 87A-32, Hawaii Revised Statutes, is  
17 amended by amending subsection (a) to read as follows:

18 "(a) The State, through the department of budget and  
19 finance, and the counties, through their respective departments  
20 of finance, shall pay to the fund a monthly contribution equal  
21 to the amount established under chapter 89C or specified in the



1 applicable public sector collective bargaining agreements,  
2 whichever is appropriate, for each of their respective employee-  
3 beneficiaries and employee-beneficiaries with dependent-  
4 beneficiaries, which shall be used toward the payment of costs  
5 of a health benefits plan; provided that:

6 (1) The monthly contribution shall be a specified dollar  
7 amount;

8 (2) The monthly contribution shall not exceed the actual  
9 cost of a health benefits plan;

10 (3) If [~~both husband and wife are~~] two employee-  
11 beneficiaries[~~7~~] are married or in a civil union, the  
12 total contribution by the State or the county shall  
13 not exceed the monthly contribution for a family plan;  
14 and

15 (4) If the State or any of the counties establish  
16 cafeteria plans in accordance with Title 26, United  
17 States Code section 125, the Internal Revenue Code of  
18 1986, as amended, and section 78-30, the monthly  
19 contribution for those employee-beneficiaries who  
20 participate in a cafeteria plan shall be made through  
21 the cafeteria plan, and the payments made by the State



1 or counties shall include their respective  
 2 contributions to the fund and their employee-  
 3 beneficiary's share of the cost of the employee-  
 4 beneficiary's health benefits plan."

5 SECTION 4. Section 87A-33, Hawaii Revised Statutes, is  
 6 amended by amending subsection (b) to read as follows:

7 "(b) Effective January 1, 2014, there is established a  
 8 base monthly contribution for health benefit plans that the  
 9 State, through the department of budget and finance, and the  
 10 counties, through their respective departments of finance, shall  
 11 pay to the fund, up to the following:

- 12 (1) \$524.73 for each employee-beneficiary enrolled in  
 13 supplemental medicare self plans;
- 14 (2) \$1,051.70 for each employee-beneficiary enrolled in  
 15 supplemental medicare two-party plans;
- 16 (3) \$1,531.78 for each employee-beneficiary enrolled in  
 17 supplemental medicare family plans;
- 18 (4) \$736.60 for each employee-beneficiary enrolled in non-  
 19 medicare self plans;
- 20 (5) \$1,484.72 for each employee-beneficiary enrolled in  
 21 non-medicare two-party plans; and



1 (6) \$2,173.06 for each employee-beneficiary enrolled in  
2 non-medicare family plans.

3 The monthly contribution by the State or county shall not  
4 exceed the actual cost of the health benefit plan or plans and  
5 shall not be required to cover increased benefits above those  
6 initially contracted for by the fund for plan year 2004-2005.

7 If [~~both husband and wife are~~] two employee-beneficiaries[~~7~~] are  
8 married or in a civil union, the total contribution by the State  
9 or county shall not exceed the monthly contribution for a  
10 supplemental medicare family or non-medicare family plan, as  
11 appropriate."

12 SECTION 5. Section 87A-34, Hawaii Revised Statutes, is  
13 amended by amending subsection (b) to read as follows:

14 "(b) The State, through the department of budget and  
15 finance, and the counties, through their respective departments  
16 of finance, shall pay to the fund a monthly contribution equal  
17 to one-half of the base monthly contribution set forth under  
18 section 87A-33(b) for retired employees enrolled in medicare or  
19 non-medicare health benefits plans. If [~~both husband and wife~~  
20 are] two employee-beneficiaries[~~7~~] are married or in a civil  
21 union, the total contribution by the State or county shall not



1 exceed the monthly contribution for supplemental medicare family  
2 or non-medicare family plan, as appropriate."

3 SECTION 6. Section 87A-35, Hawaii Revised Statutes, is  
4 amended by amending subsection (c) to read as follows:

5 "(c) The State, through the department of budget and  
6 finance, and the counties, through their respective departments  
7 of finance, shall pay to the fund:

8 (1) For retired employees enrolled in medicare or non-  
9 medicare health benefit plans with ten or more years  
10 but fewer than fifteen years of service, a monthly  
11 contribution equal to one-half of the base monthly  
12 contribution set forth under section 87A-33(b); and

13 (2) For retired employees enrolled in medicare or non-  
14 medicare health benefit plans with at least fifteen  
15 but fewer than twenty-five years of service, a monthly  
16 contribution of seventy-five per cent of the base  
17 monthly contribution set forth under section 87A-  
18 33(b).

19 If [~~both husband and wife are~~] two employee-beneficiaries [~~7~~] are  
20 married or in a civil union, the total contribution by the State  
21 or county shall not exceed the monthly contribution for a



1 supplemental medicare family or non-medicare family plan, as  
2 appropriate."

3 SECTION 7. Section 87A-36, Hawaii Revised Statutes, is  
4 amended by amending subsection (c) to read as follows:

5 "(c) The State, through the department of budget and  
6 finance, and the counties, through their respective departments  
7 of finance, shall pay to the fund:

- 8 (1) For retired employees based on the self plan with ten  
9 or more years but fewer than fifteen years of service,  
10 a monthly contribution equal to one-half of the base  
11 medicare or non-medicare monthly contribution set  
12 forth under section 87A-33(b);
- 13 (2) For retired employees based on the self plan with at  
14 least fifteen but fewer than twenty-five years of  
15 service, a monthly contribution equal to seventy-five  
16 per cent of the base medicare or non-medicare monthly  
17 contribution set forth under section 87A-33(b);
- 18 (3) For retired employees based on the self plan with  
19 twenty-five or more years of service, a monthly  
20 contribution equal to one hundred per cent of the base



1 medicare or non-medicare monthly contribution set  
2 forth under section 87A-33(b); and

3 (4) One-half of the monthly contributions for the  
4 employee-beneficiary or employee-beneficiary with  
5 dependent-beneficiaries upon the death of the  
6 employee, as defined in paragraph (1)(D) of the  
7 definition of "employee" in section 87A-1.

8 If [~~both husband and wife are~~] two employee-  
9 beneficiaries[~~7~~] are married or in a civil union, the total  
10 contribution by the State or county shall not exceed the monthly  
11 contribution for two supplemental medicare self or non-medicare  
12 self plans, as appropriate."

13 SECTION 8. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 9. This Act shall take effect on January 1, 2050.





**Report Title:**

Hawaii Employer-Union Health Benefits Trust Fund

**Description:**

Amends the definition of "dependent-beneficiary" under the Hawaii Employer-Union Health Benefits Trust Fund to conform with the federal Patient Protection and Affordable Care Act of 2010. Brings references to marriages under the EUTF into conformance with the state Civil Unions Law. (HB979 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

