

ACT 35

H. B. NO. 2179-72

A Bill for an Act Relating to the Hawaii Public Employees Health Fund.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 87-1 of the Hawaii Revised Statutes is amended to read:

“Sec. 87-1 Definitions. As used in this chapter:

- (1) ‘Board’ means the board of trustees as described in section 87-11;
- (2) ‘Carrier’ means a voluntary association, corporation, partnership, or organization engaged in providing, paying for, arranging for, or reimbursing the cost of health services under group insurance contract or medical, hospital, or dental services agreements;

- (3) 'Contributions' means money payments made to the fund by the State or an employee-beneficiary;
- (4) 'Dependent-beneficiary' means an employee-beneficiary's spouse and any unmarried child, including an adopted child, a stepchild, foster child, or recognized natural child who lives with the employee-beneficiary, deemed eligible by the board to receive health or dental services of a health benefits plan;
- (5) 'Employee' means an employee or officer of the state or county government,
- (A) Including:
- (i) A regularly employed member of the faculty of the University of Hawaii, including a research worker, an extension agent, or a person engaged in instructional or administrative work of the University;
 - (ii) A regularly employed administrative officer, principal, vice-principal, teacher, special teacher, cafeteria manager, or cafeteria worker of the public schools;
 - (iii) An apprentice or on-the-job trainee whether or not supported by any federal grant;
 - (iv) An elective officer including a member of the legislature during his term of office, or a person who has served as a member of the legislature for at least a total of ten years;
 - (v) A probationary employee;
 - (vi) A per diem employee;
 - (vii) An officer or employee under an authorized leave of absence; or
 - (viii) An employee of the Hawaii national guard although paid from federal funds;
 - (ix) A retired member of the employees retirement system, the county pension system or the police, firemen, or bandsmen pension system of the State or county;
- (B) But excluding:
- (i) A designated beneficiary of a retired member of the employees retirement system, the county pension system or the police, firemen, or bandsmen pension system of the State or county;
 - (ii) A person employed temporarily on a fee or contract basis;
 - (iii) A person hired on a part-time, limited-term, or provisional basis;
 - (iv) A member of a board, commission, or agency appointed by the governor, or mayor or chairman of the State or county, respectively; and
 - (v) An employee of the legislature other than a member of the permanent staff;
- (6) 'Employee-beneficiary' means an employee or the beneficiary of a retired member of the employees retirement system, a county pension system, or a police, firemen, and bandsmen pension system of the

State or county upon the death of the retired member as long as the beneficiary receives a monthly benefit from any such system and, if a child, does not marry, or if a widow, does not remarry; provided that (A) the deceased retired member was enrolled in a family plan at the time of his death, and (B) the beneficiary was covered as a family member under the enrollment of the deceased retired member at the time of his death; and provided further that for the purposes of this subsection, 'family member' means the deceased retired member's spouse and unmarried child under the age of nineteen years including a legally adopted child and a stepchild or recognized natural child who lives with the deceased retired member in a regular parent-child relationship), or unmarried child regardless of age who is incapable of self-support because of a mental or physical incapacity which existed prior to his reaching the age of nineteen years; and provided further that the employee or beneficiary of the deceased retired member is deemed eligible by the board to receive health or dental services of a health benefits plan;

- (7) 'Fund' means the trust fund as described in section 87-2;
- (8) 'Health benefits plan' means (A) a group insurance contract on medical, hospital, or dental service agreement in which a carrier agrees to provide, pay for, arrange for or reimburse the cost of health or dental services as determined by the board or (B) a similar schedule of benefits established by the board and provided through the fund on a noninsured basis;
- (9) 'Periodic charge' means the periodic payment by the board to a carrier for any health benefits plan; and
- (10) 'Trustee' means a trustee of the board of trustees as described in section 87-11."

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 3. This Act shall take effect on July 1, 1972.

(Approved May 12, 1972.)

*Edited accordingly.