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# A BILL FOR AN ACT

RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND  
SPOUSAL MEDICARE PART B PREMIUM REIMBURSEMENT.

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

1       SECTION 1. The legislature finds that the State and  
2 counties reimburse retirees and their spouses medicare part B  
3 premiums, including spouses of retirees hired after June 30,  
4 2001. Employers do not receive any benefit from enrollment of  
5 self only retiree spouses in medicare part B since they do not  
6 contribute to the spouse's premiums. The Hawaii employer-union  
7 health benefits trust fund estimates elimination of medicare  
8 part B premium reimbursement of spouses for new hires on or  
9 after July 1, 2022, will reduce future state annual required  
10 contributions by \$1,200,000,000 over a thirty-year period.  
11 Current retirees; vested, terminated employees; and current  
12 employees will not be impacted by this Act.

13       SECTION 2. Section 87A-23, Hawaii Revised Statutes, is  
14 amended to read as follows:

15       **"§87A-23 Health benefits plan supplemental to medicare.**

16 The board shall establish a health benefits plan, which takes



1 into account benefits available to an employee-beneficiary and  
2 spouse under medicare, subject to the following conditions:

3 (1) There shall be no duplication of benefits payable  
4 under medicare. The plan under this section, which  
5 shall be secondary to medicare, when combined with  
6 medicare and any other plan to which the health  
7 benefits plan is subordinate under the National  
8 Association of Insurance Commissioners' coordination  
9 of benefit rules, shall provide benefits that  
10 approximate those provided to a similarly situated  
11 beneficiary not eligible for medicare;

12 (2) The State, through the department of budget and  
13 finance, and the counties, through their respective  
14 departments of finance, shall pay to the fund a  
15 contribution equal to an amount not less than the  
16 medicare part B premium, for each of the following who  
17 are enrolled in the medicare part B medical insurance  
18 plan: (A) an employee-beneficiary who is a retired  
19 employee, (B) ~~[an employee-beneficiary's spouse]~~ a  
20 spouse of an employee-beneficiary hired prior to  
21 July 1, 2022, while the employee-beneficiary is



1 living, and (C) an employee-beneficiary's spouse,  
2 after the death of the employee-beneficiary, if the  
3 spouse qualifies as an employee-beneficiary. For  
4 purposes of this section, a "retired employee" means  
5 retired members of the employees' retirement system;  
6 county pension system; or a police, firefighters, or  
7 bandsmen pension system of the State or a county as  
8 set forth in chapter 88. If the amount reimbursed by  
9 the fund under this section is less than the actual  
10 cost of the medicare part B medical insurance plan due  
11 to an increase in the medicare part B medical  
12 insurance plan rate, the fund shall reimburse each  
13 employee-beneficiary and ~~[employee-beneficiary's~~  
14 ~~spouse]~~ spouse of an employee-beneficiary hired prior  
15 to July 1, 2022, for the cost increase within thirty  
16 days of the rate change. Each employee-beneficiary  
17 and employee-beneficiary's spouse who becomes entitled  
18 to reimbursement from the fund for medicare part B  
19 premiums after July 1, 2006, shall designate a  
20 financial institution account into which the fund  
21 shall be authorized to deposit reimbursements. This



1 method of payment may be waived by the fund if another  
2 method is determined to be more appropriate;

3 (3) The benefits available under this plan, when combined  
4 with benefits available under medicare or any other  
5 coverage or plan to which this plan is subordinate  
6 under the National Association of Insurance  
7 Commissioners' coordination of benefit rules, shall  
8 approximate the benefits that would be provided to a  
9 similarly situated employee-beneficiary not eligible  
10 for medicare;

11 (4) All employee-beneficiaries or dependent-beneficiaries  
12 who are eligible to enroll in the medicare part B  
13 medical insurance plan shall enroll in that plan as a  
14 condition of receiving contributions and participating  
15 in benefits plans under this chapter. This paragraph  
16 shall apply to retired employees, their spouses, and  
17 the surviving spouses of deceased retirees and  
18 employees killed in the performance of duty; and

19 (5) The board shall determine which of the employee-  
20 beneficiaries and dependent-beneficiaries, who are not  
21 enrolled in the medicare part B medical insurance



1           plan, may participate in the plans offered by the  
2           fund."

3           SECTION 3. This Act does not affect rights and duties that  
4           matured, penalties that were incurred, and proceedings that were  
5           begun before its effective date.

6           SECTION 4. Statutory material to be repealed is bracketed  
7           and stricken. New statutory material is underscored.

8           SECTION 5. This Act shall take effect on December 25,  
9           2040.

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**Report Title:**

Hawaii Employer-Union Health Benefits Trust Fund Spousal  
Medicare Part B Premium Reimbursement

**Description:**

Excludes medicare part B premium reimbursement by the State and  
counties for the spouses of retired employees hired after  
June 30, 2022. Effective 12/25/2040. (HD1)

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not legislation or evidence of legislative intent.*

