

### **61.430 Federal-state agreement.**

Consistent with the terms and conditions of KRS 61.410 to 61.500, the state agency, with the approval of the Governor, is hereby authorized to enter into an agreement with the commissioner for the purpose of extending insurance coverage to employees with respect to services specified in the agreement which constitute employment as defined in KRS 61.420. An agreement entered into under this section may contain provisions relating to coverage, benefits, contributions, effective date, modification and termination of the agreement, administration and other appropriate provisions as the state agency and commissioner shall agree upon. Any agreement, subject to the provisions of the Social Security Act, shall provide in effect that:

- (1) Insurance coverage shall be provided for employees whose services are described in the agreement, and their dependents and survivors on the same basis as though the services constituted employment within the meaning of Title II of the Social Security Act;
- (2) The state shall pay to the Secretary of the Treasury, at times prescribed under the Social Security Act, contributions with respect to wages equal to the sum of the taxes imposed by sections 3101 and 3111 of the Federal Insurance Contributions Act if the services covered by the agreement constitute employment within the meaning of that act;
- (3) Insurance coverage will be afforded with respect to services performed after an effective date specified in the agreement or modification thereof; except that the effective date shall not be earlier than January 1, 1955, in the case of an agreement or modification made between January 1, 1955, and January 1, 1958; or earlier than January 1, 1956, in the case of an agreement or modification made at any time in the years 1958 or 1959; or earlier than the first day of the year in which the agreement or modification was made, in the case of an agreement or modification made at any time between January 1, 1960, and July 1, 1962; or earlier than the first day of the fifth year preceding the year in which the agreement or modification is made, in the case of an agreement or modification made at any time after July 1, 1962;
- (4) Insurance coverage shall be afforded with respect to all services constituting employment; except that in order for insurance coverage to be afforded with respect to services performed in the employ of a political subdivision of the state there must be in existence in regard to those services a plan which meets the requirements of KRS 61.460;
- (5) Subject to the provisions of KRS 61.435, insurance coverage shall be afforded with respect to all services in positions covered by a retirement system; except that no agreement shall be effective to afford insurance coverage to any services performed in positions to which KRS 161.220 to 161.710 are applicable except for services performed in positions in a state university or public junior college.

**Effective:** July 15, 1998

**History:** Amended 1998 Ky. Acts ch. 436, sec. 3, effective July 15, 1998. -- Amended 1962 Ky. Acts ch. 12, sec. 3. -- Amended 1958 Ky. Acts ch. 135, sec. 2. -- Amended 1956 Ky. Acts ch. 32, sec. 3; and ch. 166, sec. 1. -- Amended 1952 Ky. Acts ch. 29, sec. 1. -- Created 1951 (1st Extra. Sess.) Ky. Acts ch. 3, sec. 3.