

**161.158 Group insurance -- Board's termination of participation in state health plan -- Employees offered coverage in state health plan under federal law eligible for state-funded contribution -- Deductions from salaries.**

- (1) (a) Each district board of education may form its employees into a group or groups or recognize existing groups for the purpose of obtaining the advantages of group life, disability, medical, and dental insurance, or any group insurance plans to aid its employees including the state employee health insurance group as described in KRS 18A.225 to 18A.2287, as long as the employees continue to be employed by the board of education. Medical and dental group insurance plans obtained under authority of this section may include insurance benefits for the families of the insured group or groups of employees. Any district board of education may pay all or part of the premium on the policies, and may deduct from the salaries of the employees that part of the premium which is to be paid by them and may contract with the insurer to provide the above benefits. As permitted in KRS 160.280(4), board members shall be eligible to participate in any group medical or dental insurance provided by the district for employees.
  - (b) If a district board of education participates in the state employee health insurance program, as described in KRS 18A.225 to 18A.2287, for its active employees and terminates participation and there is a state appropriation approved by the General Assembly for the employer's contribution for active employees' health insurance coverage, neither the board of education nor the employees shall receive the state-funded contribution after termination from the state employee health insurance program.
  - (c) If a district board of education participates in the state employee health insurance program as described in KRS 18A.225 to 18A.2287 for its active employees, all district employees who are required to be offered health insurance coverage for purposes of, and in accordance with, the federal Patient Protection and Affordable Care Act of 2010, Pub. L. No. 111-148, shall be eligible for the state-funded contribution appropriated by the General Assembly for the employer's contribution for active employees' health insurance coverage.
- (2) (a) Each district board of education shall adopt policies or regulations which will provide for:
    1. a. Deductions from salaries of its employees or groups of employees whenever a request is presented to the board by said employees or groups thereof.
    - b. The deductions shall be made from salaries earned in at least eight (8) different pay periods.
    - c. The deductions may be made for, but are not limited to, membership dues, tax-sheltered annuities, and group insurance premiums.
    - d. The district board is prohibited from deducting membership dues of an employee organization, membership organization,

or labor organization without the express written consent of the employee. Express written consent of the employee may be revoked in writing by the employee at any time. This provision shall apply to contracts entered into, opted in, extended or renewed on or after January 9, 2017.

- e. With the exception of membership dues, the board shall not be required to make more than one (1) remittance of amounts deducted during a pay period for a separate type of deduction; and
- 2. Deductions from payments for the per diem and actual expenses provided under KRS 160.280(1) to members of the district board of education whenever a request is presented by a board member to the board. The deductions may be made for but not be limited to membership dues, health insurance purchases, scholarship funds, and contributions to a political action committee.
- (b) The deductions under paragraph (a)1. and 2. of this subsection shall be remitted to the appropriate organization or association as specified by the employees within thirty (30) days following the deduction, provided the district has received appropriate invoices or necessary documentation.
  - (c) Health insurance, life insurance, and tax-sheltered annuities shall be interpreted as separate types of deductions. When amounts have been correctly deducted and remitted by the board, the board shall bear no further responsibility or liability for subsequent transaction.
- (3) Payments and deductions made by the board of education under the authority of this section are presumed to be for services rendered and for the benefit of the common schools, and the payments and deductions shall not affect the eligibility of any school system to participate in the public school funding program as established in KRS Chapter 157.

**Effective:** January 9, 2017

**History:** Amended 2017 Ky. Acts ch. 6, sec. 7, effective January 9, 2017. -- Amended 2014 Ky. Acts ch. 55, sec. 1, effective July 15, 2014. -- Amended 2007 Ky. Acts ch. 88, sec. 2, effective June 26, 2007; and ch. 88, sec. 4, effective June 26, 2007. -- Amended 2000 Ky. Acts ch. 438, sec. 3, effective April 21, 2000. -- Amended 1998 Ky. Acts ch. 557, sec. 1, effective July 15, 1998. -- Amended 1992 Ky. Acts ch. 170, sec. 2, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 476, Pt. IV, sec. 239, effective July 13, 1990. -- Amended 1978 Ky. Acts ch. 234, sec. 1, effective June 17, 1978. -- Amended 1972 Ky. Acts ch. 322, sec. 1. -- Created 1970 Ky. Acts ch. 166, sec. 1.