

1           AN ACT relating to reemployment of retired police officers.

2    *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3           ➔Section 1. KRS 70.292 is amended to read as follows:

4    (1) A county police department or county sheriff's office in the Commonwealth of  
5        Kentucky may employ police officers who have retired under the State Police  
6        Retirement System, Kentucky Employees Retirement System, or the County  
7        Employees Retirement System as provided by KRS 70.291 to 70.293.

8    (2) An individual employed under KRS 70.291 to 70.293 shall have:

9           (a) 1. Participated in the Law Enforcement Foundation Program fund under  
10            KRS 15.410 to 15.515; or  
11           2. Retired as a commissioned officer pursuant to KRS Chapter 16;  
12           (b) Retired with at least fifteen (15)~~twenty (20)~~ years of service credit;  
13           (c) Been separated from service for the period required by KRS 61.637 and  
14           78.5540 so that the member's retirement is not voided;  
15           (d) Retired with no administrative charges pending; and  
16           (e) Retired with no pre-existing agreement between the individual and the county  
17            police department or the sheriff's office prior to the individual's retirement for  
18            the individual to return to work for the county police department or the  
19            sheriff's office.

20           ➔Section 2. KRS 70.293 is amended to read as follows:

21    (1) Individuals employed under KRS 70.291 to 70.293 shall:  
22           (a) Serve for a term not to exceed one (1) year. The one (1) year employment  
23            term may be renewed annually at the discretion of the employing county  
24            police department or sheriff's office;  
25           (b) Receive compensation according to the standard procedures applicable to the  
26            employing county police department or sheriff's office; and  
27           (c) Be employed based upon need as determined by the county police department

1 or the employing sheriff's office.

2 (2) Notwithstanding any provisions of KRS 16.505 to 16.652, 18A.225 to 18A.2287,  
3 61.510 to 61.705, or 78.510 to 78.852 to the contrary:

4 (a) Individuals employed under KRS 70.291 to 70.293 shall continue to receive  
5 all retirement and health insurance benefits to which they were entitled upon  
6 retiring in the applicable system administered by Kentucky Retirement  
7 Systems or the County Employees Retirement System;

8 (b) **Except as provided in paragraph (e) of this subsection,** individuals employed  
9 under KRS 70.291 to 70.293 shall not be eligible to receive health insurance  
10 coverage through the county police department, the sheriff's office, or the  
11 fiscal court of the county police department or sheriff's office;

12 (c) The county police department, sheriff's office, or fiscal court of the county  
13 police department or sheriff's office shall not pay any employer contributions  
14 or retiree health expense reimbursements to the Kentucky Retirement Systems  
15 required by KRS 61.637(17) or 78.5540(4) for individuals employed under  
16 KRS 70.291 to 70.293; and

17 (d) **Except as provided in paragraph (e) of this subsection,** the county police  
18 department, sheriff's office, or fiscal court of the county police department or  
19 sheriff's office shall not pay any insurance contributions to the state health  
20 insurance plan, as provided by KRS 18A.225 to 18A.2287, for individuals  
21 employed under KRS 70.291 to 70.293; and

22 (e) **Effective August 1, 2026, the chief legislative body of the county, urban-**  
23 **county, or consolidated local government who is responsible for approving**  
24 **the budget of the sheriff's office or sheriff's department may by legislative**  
25 **action provide or authorize provision of health insurance coverage for**  
26 **individuals employed under KRS 70.291 to 70.293, subject to the terms and**  
27 **conditions established by the chief governing body of the county, urban-**

1                   county, or consolidated local government.

2       (3) Individuals employed under KRS 70.291 to 70.293 shall be subject to any merit  
3       system, civil service, or other legislative due process provisions applicable to the  
4       county police department or sheriff's office. A decision not to renew a one (1) year  
5       appointment term under this section shall not be considered a disciplinary action or  
6       deprivation subject to due process.

7                   ➔Section 3. KRS 95.022 is amended to read as follows:

8       (1) As used in this section:

9                   (a) "City" means any incorporated city, consolidated local government, unified  
10       local government, urban-county government, or charter county government,  
11       operating under the law of this Commonwealth, and the offices and agencies  
12       thereof; and

13                   (b) "Police officer" has the same meaning as "police officer" in KRS 15.420 and  
14       as "officer" in KRS 16.010.

15       (2) Subject to the limitations of subsection (7) of this section, a city may employ  
16       individuals as police officers under this section who have retired from the Kentucky  
17       Employees Retirement System, the County Employees Retirement System, or the  
18       State Police Retirement System.

19       (3) To be eligible for employment under this section, an individual shall have:

20                   (a) Participated in the Law Enforcement Foundation Program fund under KRS  
21       15.410 to 15.510 or retired as a commissioned officer pursuant to KRS  
22       Chapter 16;

23                   (b) Retired with at least fifteen (15)~~twenty (20)~~ years of service credit;

24                   (c) Been separated from service for the period required by KRS 61.637 and  
25       78.5540 so that the member's retirement is not voided;

26                   (d) Retired with no administrative charges pending; and

27                   (e) Retired with no preexisting agreement between the individual and the city

1                   prior to the individual's retirement for the individual to return to work for the  
2                   city.

3                   (4) Individuals employed under this section shall:

4                   (a) Serve for a term not to exceed one (1) year. The one (1) year employment  
5                   term may be renewed annually at the discretion of the employing city;

6                   (b) Receive compensation according to the standard procedures applicable to the  
7                   employing city; and

8                   (c) Be employed based upon need as determined by the employing city.

9                   (5) Notwithstanding any provisions of KRS 16.505 to 16.652, 18A.225 to 18A.2287,  
10                   61.510 to 61.705, or 78.510 to 78.852 to the contrary:

11                   (a) Individuals employed under this section shall continue to receive all  
12                   retirement and health insurance benefits to which they were entitled upon  
13                   retiring in the applicable system administered by Kentucky Retirement  
14                   Systems or the County Employees Retirement System;

15                   (b) Except as provided in paragraph (e) of this subsection, individuals employed  
16                   under this section shall not be eligible to receive health insurance coverage  
17                   through the employing city;

18                   (c) The city shall not pay any employer contributions or retiree health expense  
19                   reimbursements to the Kentucky Retirement Systems required by KRS  
20                   61.637(17) or 78.5540(4) for individuals employed under this section;and

21                   (d) Except as provided in paragraph (e) of this subsection, the city shall not pay  
22                   any insurance contributions to the state health insurance plan, as provided by  
23                   KRS 18A.225 to 18A.2287, for individuals employed under this section;and

24                   (e) Effective August 1, 2026, the legislative body of the city may by legislative  
25                   action provide or authorize provision of health insurance coverage for  
26                   individuals employed under this section, subject to the terms and conditions  
27                   established by the city.

1 (6) Individuals employed under this section shall be subject to any merit system, civil  
2 service, or other legislative due process provisions applicable to the employing city.  
3 A decision not to renew a one (1) year appointment term under this section shall not  
4 be considered a disciplinary action or deprivation subject to due process.

5 (7) A city government shall be limited in the number of retired police officers that it  
6 may hire under this section as follows:

7 (a) A city government that employed an average of five (5) or fewer police  
8 officers over the course of the immediately preceding calendar year shall not  
9 be limited in the number of officers that they may hire under this section;

10 (b) A city government that employed an average of more than five (5) but fewer  
11 than one hundred (100) police officers over the course of the immediately  
12 preceding calendar year shall not hire more than five (5) police officers or a  
13 number equal to twenty-five percent (25%) of the police officers employed by  
14 the city in the immediately preceding calendar year, whichever is greater; and

15 (c) A city government that employed an average of one hundred (100) or more  
16 police officers over the course of the immediately preceding calendar year  
17 ~~[2015]~~ shall not hire more than twenty-five (25) police officers or a number  
18 equal to ten percent (10%) of the police officers employed by the city in the  
19 immediately preceding calendar year, whichever is greater.

20 (8) Retired police officers employed by a city government for purposes of KRS  
21 158.4414 shall not apply against the limitations provided by subsection (7) of this  
22 section.

23 ➔ Section 4. KRS 164.952 is amended to read as follows:

24 (1) As used in this section:

25 (a) "Police officer" has the same meaning as "police officer" in KRS 15.420, as  
26 "police officer" in KRS 164.950 to 164.980, and as "officer" in KRS 16.010;  
27 and



1       61.510 to 61.705, or 78.510 to 78.852 to the contrary:

2       (a) Individuals employed under this section shall continue to receive all  
3            retirement and health insurance benefits to which they were entitled upon  
4            retiring in the applicable system administered by Kentucky Retirement  
5            Systems;

6       (b) **Except as provided in paragraph (e) of this subsection,** individuals employed  
7            under this section shall not be eligible to receive health insurance coverage  
8            through the employing postsecondary institution;

9       (c) The postsecondary institution shall not pay any employer contributions or  
10            retiree health expense reimbursements to the Kentucky Retirement Systems  
11            required by KRS 61.637(17) **or 78.5540(4)** for individuals employed under  
12            this section;[and]

13       (d) **Except as provided in paragraph (e) of this subsection,** the postsecondary  
14            institution shall not pay any insurance contributions to the state health  
15            insurance plan, as provided by KRS 18A.225 to 18A.2287, for individuals  
16            employed under this section; **and**

17       (e) **Effective August 1, 2026, the governing body of the postsecondary**  
18            **institution may by action of the governing body provide or authorize**  
19            **provision of health insurance coverage for individuals employed under this**  
20            **section, subject to the terms and conditions established by the postsecondary**  
21            **institution.**

22       (6) Individuals employed under this section shall be subject to any legislative due  
23            process provisions applicable to police officers of the employing postsecondary  
24            institution. A decision not to renew a one (1) year appointment term under this  
25            section shall not be considered a disciplinary action or deprivation subject to due  
26            process.

27       ➔Section 5. KRS 61.702 is amended to read as follows:

- 1       (1) For purposes of this section:
  - 2           (a) "Hospital and medical insurance plan" may include, at the board's discretion,  
3               any one (1) or more of the following:
    - 4               1. Any hospital and medical expense policy or certificate, provider-  
5                   sponsored integrated health delivery network, self-insured medical plan,  
6                   health maintenance organization contract, or other health benefit plan;
    - 7               2. Any health savings account as permitted by 26 U.S.C. sec. 223 or health  
8                   reimbursement arrangement or a similar account as may be permitted by  
9                   26 U.S.C. sec. 105 or 106. Such arrangement or account, at the board's  
10                  discretion, may reimburse any medical expense permissible under 26  
11                  U.S.C. sec. 213; or
    - 12               3. A medical insurance reimbursement program established by the board  
13                   through the promulgation of administrative regulation under which  
14                   members purchase individual health insurance coverage through a health  
15                   insurance exchange established under 42 U.S.C. sec. 18031 or 18041;
  - 16           (b) "Monthly contribution rate" is the amount determined by the board based  
17                  upon the requirements of subsection (4)(a) to (d) of this section, except that  
18                  for members who began participating in the system on or after July 1, 2003,  
19                  the term shall mean the amount determined in subsection (4)(e) of this  
20                  section; and
  - 21           (c) "Months of service" means the total months of combined service used to  
22                  determine benefits under the system, except service added to determine  
23                  disability benefits or service otherwise prohibited from being used to  
24                  determine retiree health benefits under KRS 16.505 to 16.652 or 61.510 to  
25                  61.705 shall not be counted as "months of service." For current and former  
26                  employees of the Council on Postsecondary Education who were employed  
27                  prior to January 1, 1993, and who earn at least fifteen (15) years of service

1 credit in the Kentucky Employees Retirement System, "months of service"  
2 shall also include vested service in another retirement system other than the  
3 Kentucky Teachers' Retirement System sponsored by the Council on  
4 Postsecondary Education.

5 (2) (a) 1. The board of trustees of the system shall arrange by appropriate contract  
6 or on a self-insured basis to provide a group hospital and medical  
7 insurance plan coverage for:

8 a. Present and future recipients of a retirement allowance from the  
9 Kentucky Employees Retirement System and the State Police  
10 Retirement System; and  
11 b. The spouse and each qualified dependent of a recipient who is a  
12 former member or the beneficiary, provided the spouse and  
13 dependent meet the requirements to participate in the hospital and  
14 medical insurance plans established, contracted, or authorized by  
15 the system.

16 2. Any recipient who chooses coverage under a hospital and medical  
17 insurance plan shall pay, by payroll deduction from the retirement  
18 allowance, electronic funds transfer, or by another method, the  
19 difference between the premium cost of the hospital and medical  
20 insurance plan coverage selected and the monthly contribution rate to  
21 which he or she would be entitled under this section.

22 (b) 1. For present and future recipients of a retirement allowance from the  
23 system who are not eligible for Medicare and for those recipients  
24 described in subparagraph 3.b. of this paragraph, the board may  
25 authorize these participants to be included in the Kentucky Employees  
26 Health Plan as provided by KRS 18A.225 to 18A.2287 and shall provide  
27 benefits for recipients in the plan equal to those provided to state

1           employees having the same Medicare hospital and medical insurance  
2           eligibility status. Notwithstanding the provisions of any other statute  
3           except subparagraph 3.b. of this paragraph, system recipients shall be  
4           included in the same class as current state employees for purposes of  
5           determining medical insurance policies and premiums in the Kentucky  
6           Employees Health Plan as provided by KRS 18A.225 to 18A.2287.

7           2. Regardless of age, if a recipient or the spouse or dependent child of a  
8           recipient who elects coverage becomes eligible for Medicare, he or she  
9           shall participate in the plans offered by the systems for Medicare  
10           eligible recipients. Individuals participating in the Medicare eligible  
11           plans may be required to obtain and pay for Medicare Part A and Part B  
12           coverage, in order to participate in the Medicare eligible plans offered  
13           by the system.

14           3. The system shall continue to provide the same hospital and medical  
15           insurance plan coverage for recipients and qualifying dependents after  
16           the age of sixty-five (65) as before the age of sixty-five (65), if:

17           a. The recipient is not eligible for Medicare coverage; or

18           b. The recipient would otherwise be eligible for Medicare coverage  
19           but is subject to the Medicare Secondary Payer Act under 42  
20           U.S.C. sec. 1395y(b) and has been reemployed by a participating  
21           agency which offers the recipient a hospital and medical insurance  
22           benefit or by a participating agency which is prevented from  
23           offering or which does not offer a hospital and medical benefit to  
24           the recipient as a condition of reemployment under KRS 70.293,  
25           95.022, or 164.952. Individuals who are eligible, pursuant to this  
26           subdivision, to be included in the Kentucky Employees Health  
27           Plan as provided by KRS 18A.225 to 18A.2287 may be rated as a

separate class from other eligible employees and retirees for the purpose of determining medical insurance premiums.

3 (c) For recipients of a retirement allowance who are not eligible for the same  
4 level of hospital and medical benefits as recipients living in Kentucky having  
5 the same Medicare hospital and medical insurance eligibility status, the board  
6 shall provide a medical insurance reimbursement plan as described in  
7 subsection (6) of this section.

8 (d) Notwithstanding anything in KRS Chapter 16 or 61 to the contrary, the board  
9 of trustees, in its discretion, may take necessary steps to ensure compliance  
10 with 42 U.S.C. sec. [sees.] 300bb-1 et seq.

11 (3) (a) Each employer participating in the Kentucky Employees Retirement System  
12 or the State Police Retirement System as provided in KRS 16.505 to 16.652 or  
13 61.510 to 61.705 shall contribute to the insurance trust fund established under  
14 KRS 61.701 the amount necessary to provide the monthly contribution rate as  
15 provided for under this section. Such employer contribution rate shall be  
16 developed by appropriate actuarial method as a part of the determination of  
17 each respective employer contribution rate determined under KRS 61.565.

18 (b) 1. Each employer described in paragraph (a) of this subsection shall deduct  
19 from the creditable compensation of each member whose membership  
20 date begins on or after September 1, 2008, an amount equal to one  
21 percent (1%) of the member's creditable compensation. The deducted  
22 amounts shall, at the discretion of the board, be credited to accounts  
23 established pursuant to 26 U.S.C. sec. 401(h), within the funds  
24 established in KRS 16.510 and 61.515, or the insurance trust fund  
25 established under KRS 61.701. Notwithstanding the provisions of this  
26 paragraph, a transfer of assets between the accounts established pursuant  
27 to 26 U.S.C. sec. 401(h), within the funds established in KRS 16.510

1 and 61.515, and the insurance trust fund established under KRS 61.701  
2 shall not be allowed.

3 2. The employer shall file the contributions as provided by subparagraph 1.  
4 of this paragraph at the retirement office in accordance with KRS  
5 61.675. Any interest or penalties paid on any delinquent contributions  
6 shall be credited to accounts established pursuant to 26 U.S.C. sec.  
7 401(h), within the funds established in KRS 16.510 and 61.515, or the  
8 insurance trust fund established under KRS 61.701. Notwithstanding  
9 any minimum compensation requirements provided by law, the  
10 deductions provided by this paragraph shall be made, and the  
11 compensation of the member shall be reduced accordingly.

12 3. Each employer shall submit payroll reports, contributions lists, and other  
13 data as may be required by administrative regulation promulgated by the  
14 board of trustees pursuant to KRS Chapter 13A.

15 4. Every member shall be deemed to consent and agree to the deductions  
16 made pursuant to this paragraph, and the payment of salary or  
17 compensation less the deductions shall be a full and complete discharge  
18 of all claims for services rendered by the person during the period  
19 covered by the payment, except as to any benefits provided by KRS  
20 16.505 to 16.652 or 61.510 to 61.705. No member may elect whether to  
21 participate in, or choose the contribution amount to accounts established  
22 pursuant to 26 U.S.C. sec. 401(h) within the funds established in KRS  
23 16.510 and 61.515, or the insurance trust fund established under KRS  
24 61.701. The member shall have no option to receive the contribution  
25 required by this paragraph directly instead of having the contribution  
26 paid to accounts established pursuant to 26 U.S.C. sec. 401(h) within the  
27 funds established in KRS 16.510 and 61.515, or the insurance trust fund

1 established under KRS 61.701. No member may receive a rebate or  
2 refund of contributions. If a member establishes a membership date  
3 prior to September 1, 2008, pursuant to KRS 61.552(2) or (3), then this  
4 paragraph shall not apply to the member and all contributions previously  
5 deducted in accordance with this paragraph shall be refunded to the  
6 member without interest. The contribution made pursuant to this  
7 paragraph shall not act as a reduction or offset to any other contribution  
8 required of a member or recipient under KRS 16.505 to 16.652 or  
9 61.510 to 61.705.

10       5. The board of trustees, at its discretion, may direct that the contributions  
11            required by this paragraph be accounted for within accounts established  
12            pursuant to 26 U.S.C. sec. 401(h) within the funds established in KRS  
13            16.510 and 61.515, or the insurance trust fund established under KRS  
14            61.701, through the use of separate accounts.

15 (4) (a) The premium required to provide hospital and medical insurance plan  
16 coverage under this section shall be paid wholly or partly from funds  
17 contributed by:

20           2. The insurance trust fund established under KRS 61.701 or accounts  
21           established pursuant to 26 U.S.C. sec. 401(h) within the funds  
22           established in KRS 16.510 and 61.515;

23           3. Another state-administered retirement system, including the County  
24           Employees Retirement System, under a reciprocal arrangement, except  
25           that any portion of the premium paid from the funds specified by  
26           subparagraph 2. of this paragraph under a reciprocal agreement shall not  
27           exceed the amount that would be payable under this section if all the

1 member's service were in the systems administered by the Kentucky  
2 Retirement Systems. If the board provides for cross-referencing of  
3 insurance premiums, the employer's contribution for the working  
4 member or spouse shall be applied toward the premium, and the  
5 insurance trust fund established under KRS 61.701 or accounts  
6 established pursuant to 26 U.S.C. sec. 401(h) within the funds  
7 established in KRS 16.510 and 61.515 shall pay the balance; or  
8 4. A combination of the fund sources described by subparagraphs 1. to 3.  
9 of this paragraph.

10 Group rates under the hospital and medical insurance plan shall be made  
11 available to the spouse, each dependent child, and each disabled child,  
12 regardless of the disabled child's age, of a recipient who is a former member  
13 or the beneficiary, if the premium for the hospital and medical insurance for  
14 the spouse, each dependent child, and each disabled child, or beneficiary is  
15 paid by payroll deduction from the retirement allowance, electronic funds  
16 transfer, or by another method. For purposes of this subsection only, a child  
17 shall be considered disabled if he or she has been determined to be eligible for  
18 federal Social Security disability benefits or meets the dependent disability  
19 standard established by the Department of Employee Insurance in the  
20 Personnel Cabinet.

21 (b) For a member who began participating in the system prior to July 1, 2003, the  
22 monthly contribution rate shall be paid by the system from the funds specified  
23 under paragraph (a)2. of this subsection and shall be equal to a percentage of  
24 the single premium to cover the retired member as follows:  
25 1. One hundred percent (100%) of the monthly premium for single  
26 coverage shall be paid for a retired member who had two hundred forty  
27 (240) months of service or more upon retirement or for a retired member

1 who when he or she was an employee became disabled as a direct result  
2 of an act in line of duty as defined in KRS 16.505 or as a result of a  
3 duty-related injury as defined in KRS 61.621;

4           2. Seventy-five percent (75%) of the monthly premium for single coverage  
5           shall be paid for a retired member who had less than two hundred forty  
6           (240) months of service but at least one hundred eighty (180) months of  
7           service upon retirement, provided such retired member agrees to pay the  
8           remaining twenty-five percent (25%) by payroll deduction from his or  
9           her retirement allowance, electronic funds transfer, or by another  
10           method;

11 3. Fifty percent (50%) of the monthly premium for single coverage shall be  
12 paid for a retired member who had less than one hundred eighty (180)  
13 months of service but had at least one hundred twenty (120) months of  
14 service upon retirement, provided such retired member agrees to pay the  
15 remaining fifty percent (50%) by payroll deduction from his or her  
16 retirement allowance, electronic funds transfer, or by another method; or

17 4. Twenty-five percent (25%) of the monthly premium for single coverage  
18 shall be paid for a retired member who had less than one hundred twenty  
19 (120) months of service but had at least forty-eight (48) months of  
20 service upon retirement, provided such retired member agrees to pay the  
21 remaining seventy-five percent (75%) by payroll deduction from his or  
22 her retirement allowance, electronic funds transfer, or by another  
23 method.

24 (c) Notwithstanding paragraph (b) of this subsection, for a member participating  
25 in the system prior to July 1, 2003, who:

26       1. Dies as a direct result of an act in line of duty as defined in KRS 16.505  
27                   or dies as a result of a duty-related injury as defined in KRS 61.621, the

monthly premium shall be paid for his or her spouse so long as the spouse remains eligible for a monthly retirement benefit;

2. Becomes totally and permanently disabled as defined in KRS 16.582 as a direct result of an act in line of duty as defined in KRS 16.505 or becomes disabled as a result of a duty-related injury as defined in KRS 61.621 and is eligible for the benefits provided by KRS 61.621(5)(a), the monthly premium shall be paid for his or her spouse so long as the member and the spouse individually remain eligible for a monthly retirement benefit; and
3. Dies as a direct result of an act in line of duty as defined in KRS 16.505, dies as a result of a duty-related injury as defined in KRS 61.621, becomes totally and permanently disabled as defined in KRS 16.582 as a direct result of an act in line of duty as defined in KRS 16.505, or becomes disabled as a result of a duty-related injury as defined in KRS 61.621 and is eligible for the benefits provided by KRS 61.621(5)(a), the monthly premium shall be paid for each dependent child as defined in KRS 16.505, so long as the member remains eligible for a monthly retirement benefit, unless deceased, and each dependent child individually remains eligible under KRS 16.505.

20 (d) 1. For a member who began participating in the system prior to July 1,  
21 2003, who was determined to be in a hazardous position in the Kentucky  
22 Employees Retirement System or in a position in the State Police  
23 Retirement System, or who is receiving a retirement allowance based on  
24 General Assembly service, the funds specified under paragraph (a)2. of  
25 this subsection shall also pay a percentage of the monthly contribution  
26 rate sufficient to fund the premium costs for hospital and medical  
27 insurance coverage for the spouse and for each dependent child of a

1 recipient.

8 (e) For members who begin participating in the system on or after July 1, 2003:

9       1. Participation in the insurance benefits provided under this section shall  
10      not be allowed until the member has earned at least one hundred twenty  
11      (120) months of service in the state-administered retirement systems,  
12      except that for members who begin participating in the system on or  
13      after September 1, 2008, participation in the insurance benefits provided  
14      under this section shall not be allowed until the member has earned at  
15      least one hundred eighty (180) months of service credited under KRS  
16      16.543(1) or 61.543(1), or another state-administered retirement system.

insurance contribution of fifteen dollars (\$15) for each year of service as a participating employee in a hazardous position or the State Police Retirement System; and

- c. Upon the death of the retired member, the beneficiary, if the beneficiary is the member's spouse, shall be entitled to a monthly insurance contribution of ten dollars (\$10) for each year of service the member attained as a participating employee in a hazardous position.

The minimum service requirement to participate in benefits as provided by subparagraph 1. of this paragraph shall be waived for a member who receives a satisfactory determination of a hazardous disability that is a direct result of an act in line of duty as defined in KRS 16.505, and the member shall be entitled to the benefits payable under this subsection as though the member had twenty (20) years of service in a hazardous position.

The minimum service required to participate in benefits as provided by subparagraph 1. of this paragraph shall be waived for a member who is disabled as a result of a duty-related injury as defined in KRS 61.621 and is eligible for the benefits provided by KRS 61.621(5)(b), and the member shall be entitled to the benefits payable under this subsection as though the member had twenty (20) years of service in a nonhazardous position.

Notwithstanding the provisions of this paragraph, the minimum service requirement to participate in benefits as provided by subparagraph 1. of this paragraph shall be waived for a member who dies as a direct result of an act in line of duty as defined in KRS 16.505, who becomes totally and permanently disabled as defined in KRS 16.582 as a direct

1 result of an act in line of duty as defined in KRS 16.505, who dies as a  
2 result of a duty-related injury as defined in KRS 61.621, or who  
3 becomes disabled as a result of a duty-related injury as defined in KRS  
4 61.621 and is eligible for the benefits provided by KRS 61.621(5)(a),  
5 and the premium for the member, the member's spouse, and for each  
6 dependent child as defined in KRS 16.505 shall be paid in full by the  
7 systems so long as the member, member's spouse, or dependent child  
8 individually remains eligible for a monthly retirement benefit.

9                   6. Except as provided by subparagraph 5. of this paragraph, the monthly  
10                   insurance contribution amount shall be increased:

11 a. On July 1 of each year by one and one-half percent (1.5%). The  
12 increase shall be cumulative and shall continue to accrue after the  
13 member's retirement for as long as a monthly insurance  
14 contribution is payable to the retired member or beneficiary but  
15 shall not apply to any increase in the contribution attributable to  
16 the increase specified by subdivision b. of this subparagraph; and

Medicare or for reimbursements provided to retirees not eligible for Medicare pursuant to subsection (6)(a)2. of this section; and

- iii. In order for the annual increase to occur as provided by this subdivision, the funding level of retiree health benefits for the system in which the employee is receiving the additional insurance contribution shall be at least ninety percent (90%) as of the most recent actuarial valuation and be projected by the actuary to remain ninety percent (90%) for the year in which the increase is provided.

7. The benefits of this paragraph provided to a member whose participation begins on or after July 1, 2003, shall not be considered as benefits protected by the inviolable contract provisions of KRS 16.652 or 61.692. The General Assembly reserves the right to suspend or reduce the benefits conferred in this paragraph if in its judgment the welfare of the Commonwealth so demands.

8. An employee whose membership date is on or after September 1, 2008, who retires and is reemployed in a regular full-time position required to participate in the system or the County Employees Retirement System shall not be eligible for health insurance coverage or benefits provided by this section and shall take coverage with his or her employing agency during the period of reemployment in a regular full-time position.

9. For purposes of this paragraph:

a. "Career threshold" for a member with service in a nonhazardous position means twenty-seven (27) years of service credited under KRS 16.543(1), 61.543(1), 78.615(1), or another state-administered retirement system and for a member with service in a

hazardous position means the service requirements specified by KRS 16.577(2) or (3) or 16.583(6)(b), as applicable; and

b. "Funding level" means the actuarial value of assets divided by the actuarially accrued liability expressed as a percentage that is determined and reported by the system's actuary in the annual actuarial valuation.

(f) For members with service in another state-administered retirement system who select hospital and medical insurance plan coverage through the system:

1. The system shall compute the member's combined service, including service credit in another state-administered retirement system, and calculate the portion of the member's premium monthly contribution rate to be paid by the funds specified under paragraph (a)2. of this subsection according to the criteria established in paragraphs (a) to (e) of this subsection. Each state-administered retirement system shall pay annually to the insurance trust fund established under KRS 61.701 the portion of the system's cost of the retiree's monthly contribution for single coverage for hospital and medical insurance plan which shall be equal to the percentage of the member's number of months of service in the other state-administered retirement plan divided by his or her total combined service and in conjunction with the reciprocal agreement established between the system and the other state-administered retirement systems. The amounts paid by the other state-administered retirement plans and by the Kentucky Retirement Systems from funds specified under paragraph (a)2. of this subsection shall not be more than one hundred percent (100%) of the monthly contribution adopted by the respective boards of trustees:

2. A member may not elect coverage for hospital and medical benefits

3           3. A state-administered retirement system shall not pay any portion of a  
4           member's monthly contribution for medical insurance unless the  
5           member is a recipient or annuitant of the plan.

6 (5) Premiums paid for hospital and medical insurance coverage procured under  
7 authority of this section shall be exempt from any premium tax which might  
8 otherwise be required under KRS Chapter 136. The payment of premiums by the  
9 funds described by subsection (4)(a)2. of this section shall not constitute taxable  
10 income to an insured recipient. No commission shall be paid for hospital and  
11 medical insurance procured under authority of this section.

12 (6) (a) The board shall promulgate an administrative regulation to establish a medical  
13 insurance reimbursement plan to provide reimbursement for hospital and  
14 medical insurance plan premiums of recipients of a retirement allowance who:

18 2. Are eligible for retiree health subsidies as provided by subsection (4)(e)  
19 of this section, except for those recipients eligible for full premium  
20 subsidies under subsection (4)(e)5. of this section. The reimbursement  
21 program as provided by this subparagraph shall be available to the  
22 recipient regardless of the hospital and medical insurance plans offered  
23 by the systems.

24 (b) An eligible recipient shall file proof of payment for hospital and medical  
25 insurance plan coverage with the retirement office. Reimbursement to eligible  
26 recipients shall be made on a quarterly basis. The recipient shall be eligible  
27 for reimbursement of substantiated medical insurance premiums for an

1                   amount not to exceed the total monthly contribution rate determined under  
2                   subsection (4) of this section.

3                   (c) For purposes of recipients described by paragraph (a)1. of this subsection, the  
4                   plan shall not be made available if all recipients are eligible for the same  
5                   coverage as recipients living in Kentucky.

6                   ➔Section 6. KRS 78.5536 is amended to read as follows:

7                   (1) For purposes of this section:

8                   (a) "Hospital and medical insurance plan" may include, at the board's discretion,  
9                   any one (1) or more of the following:

10                   1. Any hospital and medical expense policy or certificate, provider-  
11                   sponsored integrated health delivery network, self-insured medical plan,  
12                   health maintenance organization contract, or other health benefit plan;  
13                   2. Any health savings account as permitted by 26 U.S.C. sec. 223 or health  
14                   reimbursement arrangement or a similar account as may be permitted by  
15                   26 U.S.C. sec. 105 or 106. Such arrangement or account, at the board's  
16                   discretion, may reimburse any medical expense permissible under 26  
17                   U.S.C. sec. 213; or

18                   3. A medical insurance reimbursement program established by the board  
19                   through the promulgation of administrative regulation under which  
20                   members purchase individual health insurance coverage through a health  
21                   insurance exchange established under 42 U.S.C. sec. 18031 or 18041;

22                   (b) "Monthly contribution rate" shall be the amount determined by the board  
23                   based upon the requirements of subsection (4)(a) to (d) of this section, except  
24                   that for members who began participating in the system on or after July 1,  
25                   2003, the term shall mean the amount determined in subsection (4)(e) of this  
26                   section; and

27                   (c) "Months of service" shall mean the total months of combined service used to

1           determine benefits under the system, except service added to determine  
2           disability benefits or service otherwise prohibited from being used to  
3           determine retiree health benefits under KRS 78.510 to 78.852 shall not be  
4           counted as "months of service."

5       (2) (a) 1. The board of trustees of the system shall arrange by appropriate contract  
6           or on a self-insured basis to provide a group hospital and medical  
7           insurance plan coverage for:

8           a. Present and future recipients of a retirement allowance from the  
9           County Employees Retirement System; and

10           b. The spouse and each qualified dependent of a recipient who is a  
11           former member or the beneficiary, provided the spouse and  
12           dependent meet the requirements to participate in the hospital and  
13           medical insurance plans established, contracted, or authorized by  
14           the system.

15           2. Any recipient who chooses coverage under a hospital and medical  
16           insurance plan shall pay, by payroll deduction from the retirement  
17           allowance, electronic funds transfer, or by another method, the  
18           difference between the premium cost of the hospital and medical  
19           insurance plan coverage selected and the monthly contribution rate to  
20           which he or she would be entitled under this section.

21       (b) 1. For present and future recipients of a retirement allowance from the  
22           system who are not eligible for Medicare and for those recipients  
23           described in subparagraph 3.b. of this paragraph, the board may  
24           authorize these participants to be included in the Kentucky Employees  
25           Health Plan as provided by KRS 18A.225 to 18A.2287 and shall provide  
26           benefits for recipients in the plan equal to those provided to state  
27           employees having the same Medicare hospital and medical insurance

eligibility status. Notwithstanding the provisions of any other statute except subparagraph 3.b. of this paragraph, system recipients shall be included in the same class as current state employees for purposes of determining medical insurance policies and premiums in the Kentucky Employees Health Plan as provided by KRS 18A.225 to 18A.2287.

2. Regardless of age, if a recipient or the spouse or dependent child of a recipient who elects coverage becomes eligible for Medicare, he or she shall participate in the plans offered by the systems for Medicare eligible recipients. Individuals participating in the Medicare eligible plans may be required to obtain and pay for Medicare Part A and Part B coverage in order to participate in the Medicare eligible plans offered by the system.
3. The system shall continue to provide the same hospital and medical insurance plan coverage for recipients and qualifying dependents after the age of sixty-five (65) as before the age of sixty-five (65), if:
  - a. The recipient is not eligible for Medicare coverage; or
  - b. The recipient would otherwise be eligible for Medicare coverage but is subject to the Medicare Secondary Payer Act under 42 U.S.C. sec. 1395y(b) and has been reemployed by a participating agency which offers the recipient a hospital and medical insurance benefit or by a participating agency which is prevented from offering **or which does not offer** a hospital and medical benefit to the recipient as a condition of reemployment under KRS 70.293, 95.022, or 164.952. Individuals who are eligible, pursuant to this subdivision, to be included in the Kentucky Employees Health Plan as provided by KRS 18A.225 to 18A.2287 may be rated as a separate class from other eligible employees and retirees for the

purpose of determining medical insurance premiums.

2 (c) For recipients of a retirement allowance who are not eligible for the same  
3 level of hospital and medical benefits as recipients living in Kentucky having  
4 the same Medicare hospital and medical insurance eligibility status, the board  
5 shall provide a medical insurance reimbursement plan as described in  
6 subsection (6) of this section.

7 (d) Notwithstanding anything in KRS Chapter 78 to the contrary, the board of  
8 trustees, in its discretion, may take necessary steps to ensure compliance with  
9 42 U.S.C. sec. 300bb-1 et seq.

10 (3) (a) Each employer participating in the County Employees Retirement System as  
11 provided in KRS 78.510 to 78.852 shall contribute to the insurance trust fund  
12 established by KRS 61.701 the amount necessary to provide the monthly  
13 contribution rate as provided for under this section. Such employer  
14 contribution rate shall be developed by appropriate actuarial method as a part  
15 of the determination of each respective employer contribution rate determined  
16 under KRS 78.635.

17 (b) 1. Each employer described in paragraph (a) of this subsection shall deduct  
18 from the creditable compensation of each member whose membership  
19 date begins on or after July 1, 2003, and who is subject to the benefits  
20 provided under subsection (4)(e) of this section, an amount equal to one  
21 percent (1%) of the member's creditable compensation if the member is  
22 participating in a nonhazardous position and two percent (2%) of the  
23 member's creditable compensation if the member is participating in a  
24 hazardous position. The deducted amounts shall, at the discretion of the  
25 board, be credited to accounts established pursuant to 26 U.S.C. sec.  
26 401(h), within the funds established in KRS 78.520, or the insurance  
27 trust fund established under KRS 61.701. Notwithstanding the

provisions of this paragraph, a transfer of assets between the accounts established pursuant to 26 U.S.C. sec. 401(h), within the funds established in KRS 78.520, and the insurance trust fund established under KRS 61.701 shall not be allowed.

2. The employer shall file the contributions as provided by subparagraph 1. of this paragraph at the retirement office in accordance with KRS 78.625. Any interest or penalties paid on any delinquent contributions shall be credited to accounts established pursuant to 26 U.S.C. sec. 401(h), within the funds established in KRS 78.520, or the insurance trust fund established under KRS 61.701. Notwithstanding any minimum compensation requirements provided by law, the deductions provided by this paragraph shall be made, and the compensation of the member shall be reduced accordingly.

3. Each employer shall submit payroll reports, contributions lists, and other data as may be required by administrative regulation promulgated by the board of trustees pursuant to KRS Chapter 13A.

4. Every member shall be deemed to consent and agree to the deductions made pursuant to this paragraph, and the payment of salary or compensation less the deductions shall be a full and complete discharge of all claims for services rendered by the person during the period covered by the payment, except as to any benefits provided by KRS 78.510 to 78.852. No member may elect whether to participate in, or choose the contribution amount to accounts established pursuant to 26 U.S.C. sec. 401(h) within the funds established in KRS 78.520, or the insurance trust fund established under KRS 61.701. The member shall have no option to receive the contribution required by this paragraph directly instead of having the contribution paid to accounts established

1 pursuant to 26 U.S.C. sec. 401(h) within the funds established in KRS  
2 78.520, or the insurance trust fund established under KRS 61.701. No  
3 member may receive a rebate or refund of contributions. If a member  
4 establishes a membership date prior to July 1, 2003, pursuant to KRS  
5 61.552(2) or (3) or who is subject to the benefits provided under  
6 subsection (4)(b) or (d) of this section, then this paragraph shall not  
7 apply to the member and all contributions previously deducted in  
8 accordance with this paragraph shall be refunded to the member without  
9 interest. The contribution made pursuant to this paragraph shall not act  
10 as a reduction or offset to any other contribution required of a member  
11 or recipient under KRS 78.510 to 78.852.

12 5. The board of trustees, at its discretion, may direct that the contributions  
13 required by this paragraph be accounted for within accounts established  
14 pursuant to 26 U.S.C. sec. 401(h) within the funds established in KRS  
15 78.520, or the insurance trust fund established under KRS 61.701,  
16 through the use of separate accounts.

17 17 (4) (a) The premium required to provide hospital and medical insurance plan  
18 coverage under this section shall be paid wholly or partly from funds  
19 contributed by:

- 20 1. The recipient of a retirement allowance, by payroll deduction from his  
21 or her retirement allowance, electronic funds transfer, or by other  
22 method;
- 23 2. The insurance trust fund established by KRS 61.701 or accounts  
24 established pursuant to 26 U.S.C. sec. 401(h) within the funds  
25 established in KRS 78.520;
- 26 3. Another state-administered retirement system, including the systems  
27 administered by Kentucky Retirement Systems, under a reciprocal

1 arrangement, except that any portion of the premium paid from the  
2 funds specified by subparagraph 2. of this paragraph under a reciprocal  
3 agreement shall not exceed the amount that would be payable under this  
4 section if all the member's service were in the County Employees  
5 Retirement System. If the board provides for cross-referencing of  
6 insurance premiums, the employer's contribution for the working  
7 member or spouse shall be applied toward the premium, and the  
8 insurance trust fund established under KRS 61.701 or accounts  
9 established pursuant to 26 U.S.C. sec. 401(h) within the funds  
10 established in KRS 78.520, shall pay the balance; or  
11 4. A combination of the fund sources described by subparagraphs 1. to 3.  
12 of this paragraph.

13 Group rates under the hospital and medical insurance plan shall be made  
14 available to the spouse, each dependent child, and each disabled child,  
15 regardless of the disabled child's age, of a recipient who is a former member  
16 or the beneficiary, if the premium for the hospital and medical insurance for  
17 the spouse, each dependent child, and each disabled child, or beneficiary is  
18 paid by payroll deduction from the retirement allowance, electronic funds  
19 transfer, or by another method. For purposes of this subsection only, a child  
20 shall be considered disabled if he or she has been determined to be eligible for  
21 federal Social Security disability benefits or meets the dependent disability  
22 standard established by the Department of Employee Insurance in the  
23 Personnel Cabinet.

24 (b) For a member who began participating in the system prior to July 1, 2003, the  
25 monthly contribution rate shall be paid by the system from the funds specified  
26 under paragraph (a)2. of this subsection and shall be equal to a percentage of  
27 the single premium to cover the retired member as follows:

- 1        1. One hundred percent (100%) of the monthly premium for single  
2                coverage shall be paid for a retired member who had two hundred forty  
3                (240) months of service or more upon retirement or for a retired member  
4                who when he or she was an employee was disabled as a direct result of  
5                an act in line of duty as defined in KRS 78.510(48) or as a result of a  
6                duty-related injury as defined in KRS 61.621;
- 7        2. Seventy-five percent (75%) of the monthly premium for single coverage  
8                shall be paid for a retired member who had less than two hundred forty  
9                (240) months of service but at least one hundred eighty (180) months of  
10                service upon retirement, provided such retired member agrees to pay the  
11                remaining twenty-five percent (25%) by payroll deduction from his or  
12                her retirement allowance, electronic funds transfer, or by another  
13                method;
- 14        3. Fifty percent (50%) of the monthly premium for single coverage shall be  
15                paid for a retired member who had less than one hundred eighty (180)  
16                months of service but had at least one hundred twenty (120) months of  
17                service upon retirement, provided such retired member agrees to pay the  
18                remaining fifty percent (50%) by payroll deduction from his or her  
19                retirement allowance, electronic funds transfer, or by another method; or
- 20        4. Twenty-five percent (25%) of the monthly premium for single coverage  
21                shall be paid for a retired member who had less than one hundred twenty  
22                (120) months of service but had at least forty-eight (48) months of  
23                service upon retirement, provided such retired member agrees to pay the  
24                remaining seventy-five percent (75%) by payroll deduction from his or  
25                her retirement allowance, electronic funds transfer, or by another  
26                method.

27        (c) Notwithstanding paragraph (b) of this subsection, for a member participating

1 in the system prior to July 1, 2003, who:

1. Dies as a direct result of an act in line of duty as defined in KRS 78.510 or dies as a result of a duty-related injury as defined in KRS 61.621, the monthly premium shall be paid for his or her spouse so long as the spouse remains eligible for a monthly retirement benefit;
2. Becomes totally and permanently disabled as defined in KRS 78.5524 as a direct result of an act in line of duty as defined in KRS 78.510 or becomes disabled as a result of a duty-related injury as defined in KRS 61.621 and is eligible for the benefits provided by KRS 61.621(5)(a), the monthly premium shall be paid for his or her spouse so long as the member and the spouse individually remain eligible for a monthly retirement benefit; and
3. Dies as a direct result of an act in line of duty as defined in KRS 78.510, dies as a result of a duty-related injury as defined in KRS 61.621, becomes totally and permanently disabled as defined in KRS 78.5524 as a direct result of an act in line of duty as defined in KRS 78.510, or becomes disabled as a result of a duty-related injury as defined in KRS 61.621 and is eligible for the benefits provided by KRS 61.621(5)(a), the monthly premium shall be paid for each dependent child as defined in KRS 78.510, so long as the member remains eligible for a monthly retirement benefit, unless deceased, and each dependent child individually remains eligible under KRS 78.510.

(d) 1. For a member who began participating in the system prior to July 1, 2003, who was determined to be in a hazardous position in the County Employees Retirement System, or who is receiving a retirement allowance based on General Assembly service, the funds specified under paragraph (a)2. of this subsection shall also pay a percentage of the

monthly contribution rate sufficient to fund the premium costs for hospital and medical insurance coverage for the spouse and for each dependent child of a recipient.

2. The percentage of the monthly contribution rate paid for the spouse and each dependent child of a recipient who was in a hazardous position or who is receiving a retirement allowance based on General Assembly service in accordance with subparagraph 1. of this paragraph shall be based solely on the member's service in a hazardous position using the formula in paragraph (b) of this subsection, except that for any recipient of a retirement allowance from the County Employees Retirement System who was contributing to the system on January 1, 1998, for service in a hazardous position, the percentage of the monthly contribution shall be based on the total of hazardous service and any nonhazardous service as a police or firefighter with the same agency, if that agency was participating in the County Employees Retirement System but did not offer hazardous duty coverage for its police and firefighters at the time of initial participation.

(e) For members who begin participating in the system on or after July 1, 2003:

1. Participation in the insurance benefits provided under this section shall not be allowed until the member has earned at least one hundred twenty (120) months of service in the state-administered retirement systems, except that for members who begin participating in the system on or after September 1, 2008, participation in the insurance benefits provided under this section shall not be allowed until the member has earned at least one hundred eighty (180) months of service credited under KRS 78.615(1) or another state-administered retirement system;

2. A member who meets the minimum service requirements as provided by

1 subparagraph 1. of this paragraph shall upon retirement be eligible for  
2 the following monthly contribution rate to be paid on his or her behalf,  
3 or on behalf of the spouse or dependent of a member with service in a  
4 hazardous position, from the funds specified under paragraph (a)2. of  
5 this subsection:

- 6 a. For members with service in a nonhazardous position who do not  
7 meet the career threshold, a monthly insurance contribution of ten  
8 dollars (\$10) for each year of service as a participating employee  
9 in a nonhazardous position;
- 10 b. For members with service in a nonhazardous position who meet  
11 the career threshold, a monthly insurance contribution towards the  
12 health plans offered to retirees who are not eligible for Medicare  
13 of forty dollars (\$40) for each year of service as a participating  
14 employee in a nonhazardous position and a monthly insurance  
15 contribution towards the health plans offered to retirees who are  
16 eligible for Medicare of ten dollars (\$10) for each year of service  
17 as a participating employee in a nonhazardous position. The  
18 monthly insurance contribution payable to retirees eligible for  
19 Medicare under this subdivision shall be adjusted as necessary so  
20 that it is equivalent to the monthly contribution amount computed  
21 under subdivision a. of this subparagraph as adjusted by  
22 subparagraph 6.a. of this paragraph;
- 23 c. For members with service in a hazardous position who do not meet  
24 the career threshold, a monthly insurance contribution of fifteen  
25 dollars (\$15) for each year of service as a participating employee  
26 in a hazardous position;
- 27 d. For members with service in a hazardous position who meet the

1 career threshold, a monthly insurance contribution towards the  
2 health plans offered to retirees who are not eligible for Medicare  
3 of fifty dollars (\$50) for each year of service as a participating  
4 employee in a hazardous position and a monthly insurance  
5 contribution towards the health plans offered to retirees who are  
6 eligible for Medicare of fifteen dollars (\$15) for each year of  
7 service as a participating employee in a hazardous position. The  
8 monthly insurance contribution payable to retirees eligible for  
9 Medicare under this subdivision shall be adjusted as necessary so  
10 that it is equivalent to the monthly contribution amount computed  
11 under subdivision c. of this subparagraph as adjusted by  
12 subparagraph 6.a. of this paragraph; and

13 e. Upon the death of the retired member, the beneficiary, if the  
14 beneficiary is the member's spouse, shall be entitled to a monthly  
15 insurance contribution of ten dollars (\$10) for each year of service  
16 the member attained as a participating employee in a hazardous  
17 position;

18 3. The minimum service requirement to participate in benefits as provided  
19 by subparagraph 1. of this paragraph shall be waived for a member who  
20 receives a satisfactory determination of a hazardous disability that is a  
21 direct result of an act in line of duty as defined in KRS 78.510(48) and  
22 the member shall be entitled to the benefits payable under this  
23 subsection as though the member had twenty (20) years of service in a  
24 hazardous position;

25 4. The minimum service required to participate in benefits as provided by  
26 subparagraph 1. of this paragraph shall be waived for a member who is  
27 disabled as a result of a duty-related injury as defined in KRS 61.621

1 and is eligible for the benefits provided by KRS 61.621(5)(b), and the  
2 member shall be entitled to the benefits payable under this subsection as  
3 though the member had twenty (20) years of service in a nonhazardous  
4 position;

5 5. Notwithstanding the provisions of this paragraph, the minimum service  
6 requirement to participate in benefits as provided by subparagraph 1. of  
7 this paragraph shall be waived for a member who dies as a direct result  
8 of an act in line of duty as defined in KRS 78.510(48), who becomes  
9 totally and permanently disabled as defined in KRS 78.5524 as a direct  
10 result of an act in line of duty as defined in KRS 78.510, who dies as a  
11 result of a duty-related injury as defined in KRS 61.621, or who  
12 becomes disabled as a result of a duty-related injury as defined in KRS  
13 61.621 and is eligible for the benefits provided by KRS 61.621(5)(a),  
14 and the premium for the member, the member's spouse, and for each  
15 dependent child as defined in KRS 78.510 shall be paid in full by the  
16 systems so long as the member, member's spouse, or dependent child  
17 individually remains eligible for a monthly retirement benefit;

18 6. Except as provided by subparagraph 5. of this paragraph, the monthly  
19 insurance contribution amount shall be increased:

20 a. On July 1 of each year by one and one-half percent (1.5%). The  
21 increase shall be cumulative and shall continue to accrue after the  
22 member's retirement for as long as a monthly insurance  
23 contribution is payable to the retired member or beneficiary but  
24 shall not apply to any increase in the contribution attributable to  
25 the increase specified by subdivision b. of this subparagraph; and

26 b. On January 1 of each year by five dollars (\$5) for members who  
27 have accrued an additional full year of service as a participating

employee beyond the career threshold, subject to the following restrictions:

- i. The additional insurance contribution provided by this subdivision shall only be applied to the monthly contribution amounts provided under subparagraph 2.b. and d. of this paragraph;
- ii. The additional insurance contribution provided by this subdivision shall only be payable towards the health plans offered by the system to retirees who are not eligible for Medicare or for reimbursements provided to retirees not eligible for Medicare pursuant to subsection (6)(a)2. of this section; and
- iii. In order for the annual increase to occur as provided by this subdivision, the funding level of retiree health benefits for the system in which the employee is receiving the additional insurance contribution shall be at least ninety percent (90%) as of the most recent actuarial valuation and be projected by the actuary to remain ninety percent (90%) for the year in which the increase is provided;

7. The benefits of this paragraph provided to a member whose participation begins on or after July 1, 2003, shall not be considered as benefits protected by the inviolable contract provisions of KRS 78.852. The General Assembly reserves the right to suspend or reduce the benefits conferred in this paragraph if in its judgment the welfare of the Commonwealth so demands;

8. An employee whose membership date is on or after September 1, 2008, who retires and is reemployed in a regular full-time position required to

1 participate in the system or the Kentucky Retirement Systems shall not  
2 be eligible for health insurance coverage or benefits provided by this  
3 section and shall take coverage with his or her employing agency during  
4 the period of reemployment in a regular full-time position; and

6 a. "Career threshold" for a member with service in a nonhazardous  
7 position means twenty-seven (27) years of service credited under  
8 KRS 16.543(1), 61.543(1), 78.615(1), or another state-  
9 administered retirement system and for a member with service in a  
10 hazardous position means the service requirements specified by  
11 KRS 78.5514(2)(a)2. or (3)(b), or 78.5516(6)(b), as applicable;  
12 and

17 (f) For members with service in another state-administered retirement system  
18 who select hospital and medical insurance plan coverage through the system:

19 1. The system shall compute the member's combined service, including  
20 service credit in another state-administered retirement system, and  
21 calculate the portion of the member's premium monthly contribution rate  
22 to be paid by the funds specified under paragraph (a)2. of this subsection  
23 according to the criteria established in paragraphs (a) to (e) of this  
24 subsection. Each state-administered retirement system shall pay  
25 annually to the insurance trust fund established under KRS 61.701 the  
26 portion of the system's cost of the retiree's monthly contribution for  
27 single coverage for hospital and medical insurance plan which shall be

1 equal to the percentage of the member's number of months of service in  
2 the other state-administered retirement plan divided by his or her total  
3 combined service and in conjunction with the reciprocal agreement  
4 established between the system and the other state-administered  
5 retirement systems. The amounts paid by the other state-administered  
6 retirement plans and by the County Employees Retirement System from  
7 funds specified under paragraph (a)2. of this subsection shall not be  
8 more than one hundred percent (100%) of the monthly contribution  
9 adopted by the respective boards of trustees;

10           2. A member may not elect coverage for hospital and medical benefits  
11           through more than one (1) of the state-administered retirement systems;  
12           and

13           3. A state-administered retirement system shall not pay any portion of a  
14           member's monthly contribution for medical insurance unless the  
15           member is a recipient or annuitant of the plan.

16 (5) Premiums paid for hospital and medical insurance coverage procured under  
17 authority of this section shall be exempt from any premium tax which might  
18 otherwise be required under KRS Chapter 136. The payment of premiums by the  
19 funds described by subsection (4)(a)2. of this section shall not constitute taxable  
20 income to an insured recipient. No commission shall be paid for hospital and  
21 medical insurance procured under authority of this section.

22 (6) (a) The board shall promulgate an administrative regulation to establish a medical  
23 insurance reimbursement plan to provide reimbursement for hospital and  
24 medical insurance plan premiums of recipients of a retirement allowance who:

25           1. Are not eligible for the same level of hospital and medical benefits as  
26           recipients living in Kentucky and having the same Medicare hospital  
27           and medical insurance eligibility status; or

1           2. Are eligible for retiree health subsidies as provided by subsection (4)(e)  
2           of this section, except for those recipients eligible for full premium  
3           subsidies under subsection (4)(e)5. of this section. The reimbursement  
4           program as provided by this subparagraph shall be available to the  
5           recipient regardless of the hospital and medical insurance plans offered  
6           by the systems.

7           (b) An eligible recipient shall file proof of payment for hospital and medical  
8           insurance plan coverage with the retirement office. Reimbursement to eligible  
9           recipients shall be made on a quarterly basis. The recipient shall be eligible  
10          for reimbursement of substantiated medical insurance premiums paid by the  
11          recipient to obtain coverage for an amount not to exceed the total monthly  
12          contribution rate determined under subsection (4) of this section. For  
13          reimbursements provided under paragraph (a)2. of this subsection, the full  
14          subsidy under subsection (4)(e)2. of this section shall be reimbursed by the  
15          system to the recipient up to the amount individually paid by the recipient to  
16          obtain coverage. In the case of recipients of a retirement allowance from a  
17          nonhazardous position, the reimbursement shall be limited to the amount paid  
18          by the recipient to obtain single coverage.

19          (c) For purposes of recipients described by paragraph (a)1. of this subsection, the  
20          plan shall not be made available if all recipients are eligible for the same  
21          coverage as recipients living in Kentucky.