

ORDINANCE 2017-31

**AN ORDINANCE AMENDING SECTION 31.07 OF THE
CODE OF ORDINANCES OF WARRICK COUNTY, INDIANA**

WHEREAS, Warrick County, Indiana, provides extended medical insurance benefits to eligible Warrick County employees after retirement; and

WHEREAS, Section 31.07 of the Code of Ordinances of Warrick County, Indiana, governs the eligibility of a Warrick County employee for extended medical insurance after retirement; and

WHEREAS, the Board of Commissioners of Warrick County, Indiana, wish to amend Section 31.07 of the Code of Ordinances of Warrick County to provide that the Board of Commissioners, in its sole discretion, may terminate a retiree's medical insurance coverage for nonpayment of the required premium under Section 31.07.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA, THAT:

The Code of Ordinances of Warrick County, Indiana, specifically Section 31.07 entitled "Medical Insurance for Retired County Employees", is hereby amended in its entirety and replaced as follows:

§ 31.07 MEDICAL INSURANCE FOR RETIRED WARRICK COUNTY EMPLOYEES

(1) *Eligibility.*

(A) Any person, who has qualified for and obtained retirement status for service rendered to Warrick County, and shall have been a full-time employee of Warrick County for a minimum of fifteen (15) years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with Warrick County, for the retiree and spouse so long as the retiree or spouse shall pay fifty percent (50%) of the COBRA premiums incurred by Warrick County for coverage of the retiree and/or spouse.

(B) Any person, who has qualified for and obtained retirement status for service rendered to Warrick County, and shall have been a full-time employee of Warrick County for a minimum of twenty (20) years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with Warrick County, for the retiree and spouse so long as the retiree or spouse shall pay twenty-five percent (25%) of the COBRA premiums incurred by Warrick County for coverage of the retiree and/or spouse.

(C) Any person, who has qualified for and obtained retirement status for service rendered to Warrick County, and shall have been a full-time employee of Warrick County for a minimum of twenty-five (25) years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with Warrick County, for the retiree and spouse so long

Commissioners' Ordinance 2017-31

as the retiree or spouse shall pay fifteen percent (15%) of the COBRA premiums incurred by Warrick County for coverage of the retiree and/or spouse.

(D) Any person, who has qualified for and obtained retirement status for service rendered to Warrick County, and shall have been a full-time employee of Warrick County for a minimum of thirty (30) years shall be entitled to obtain and extend coverage from medical insurance policies which are in effect with Warrick County, for the retiree and spouse so long as the retiree or spouse shall pay ten percent (10%) of the COBRA premiums incurred by Warrick County for coverage of the retiree and/or spouse.

(E) The phrase **COBRA PREMIUMS** shall be defined as the COBRA premium established by the third-party administrator or Warrick County's insurance agent as they may determine from time to time. For example, if the total cost or COBRA premium for Warrick County to provide insurance to a retiree and/or his or her spouse is five hundred and 00/100 dollars (\$500.00) per month following the retiree's retirement, the retiree shall pay an amount equal to \$500.00 multiplied by the applicable percentage above.

(2) *Qualifying For & Obtaining Retirement Status.*

(A) A person is qualified for retirement status under subsection (1) of this Section if, on the date of retirement:

- (i) Such person is at least fifty-five (55) years of age, is not eligible for Medicare, and is an active, full-time employee of Warrick County as of the date of the retirement; or
- (ii) Such person is at least fifty (50) years of age, is not eligible for Medicare, and is an active, full-time law enforcement merit employee of Warrick County as of the date of retirement.

(B) To obtain retirement status under this Section, a person who is qualified for retirement status under subsection (2)(A) shall notify the Warrick County Auditor of his or her intent to retire sixty (60) days prior to retirement from Warrick County.

(C) Within fifteen (15) days of receipt of notice under subsection (2)(B), the Warrick County Auditor shall notify the prospective retiree as to whether he or she is qualified for retirement status as defined herein, and, if such person is qualified for retirement status, shall notify that person of his or her rights relating to such coverage.

(D) Within thirty (30) days of receipt of notice under subsection (2)(C), the prospective retiree shall make application for such coverage.

(3) *Events Affecting Coverage.*

(A) In the event that a retiree from Warrick County is divorced, then the spouse is no longer eligible for any benefits pursuant to this Section.

(B) In the event that a retiree from Warrick County marries after retirement, the spouse shall not be eligible for any benefits pursuant to this Section.

(C) A spouse of a retiree who is otherwise qualified for, and has obtained, retirement status, shall be ineligible for continued coverage under this Section if, after the retiree's retirement from Warrick County, said spouse of a retiree obtains employment through an employer that provides group medical insurance.

(D) Any retiree who shall hereafter terminate his or her insurance coverage with Warrick County for whatever reason, including nonpayment of premiums as described in subsection four (4), below, shall thereafter be forever ineligible to return to Warrick County's medical insurance program as provided in this Section. Additionally, any spouse of a retiree who shall hereafter terminate his or her insurance coverage with Warrick County for whatever reason including, but not limited to, obtaining group medical insurance with a subsequent employer, shall thereafter be forever ineligible to return to Warrick County's medical insurance program as provided in this Section.

(E) In the event that the retiree dies, the surviving spouse who otherwise qualifies to receive insurance coverage with Warrick County shall be eligible to retain medical insurance benefits pursuant to this Section so long as the surviving spouse does not remarry or obtain employment through an employer that provides group medical insurance.

(4) *Premium Contributions and Payment.*

(A) The retiree and his or her spouse, if applicable, shall contribute a portion of the monthly COBRA premiums in accordance with the percentage schedule referenced in subsection one (1) of this Section. Such premium contributions shall be altered in accordance with defined calculations when the total cost of insurance to Warrick County changes based on policy renewal or applicable changes to the Plan.

(B) Payment of premium contributions shall be due the first of each month and delivered to the Warrick County Auditor. Payment shall be made by check or money order payable only to the Warrick County Treasurer. Payments shall be late if received after the tenth day of the month when payment is due, in which event the retiree shall be assessed a late fee of twenty-five and 00/100 dollars (\$25.00).

(C) If payments of a premium contribution go two (2) months in arrears, the retiree, and if applicable, the spouse's medical insurance premium account shall be placed on probationary status until premium contributions and late fees are paid in full. If payments of a premium contribution go three (3) months in arrears, the Warrick County Auditor shall notify the retiree, and if applicable, the spouse, in writing that the retirement medical benefit shall be terminated in thirty (30) days if premium contributions and late fees are not paid in full. If payments of a premium contribution become four (4) months in arrears, the medical insurance for that retiree, and if applicable, the spouse and any dependents shall be terminated and the Warrick County Auditor shall notify the retiree and spouse in writing.

(5) *Conversion to Medicare Supplement Plan.* When the retiree attains the age of sixty-five (65) years or the spouse, if applicable, attains the age of sixty-five (65) years, the medical insurance coverage shall be converted to a Medicare supplement plan which is in effect between Warrick County and a private insurer. The portion of the premium contribution paid by the retiree,


Commissioners' Ordinance 2017-31

spouse, and the Warrick County shall remain the same as provided in subsection (1) of this Section.


(6) The term **WARRICK COUNTY ADUTOR** as identified in this Section shall mean the Warrick County Human Resources Director so long as the position is in existence at the time of the prospective retiree's retirement date.

The above ordinance is passed and adopted by the Warrick County Board of Commissioners this 27th day of November, 2017.

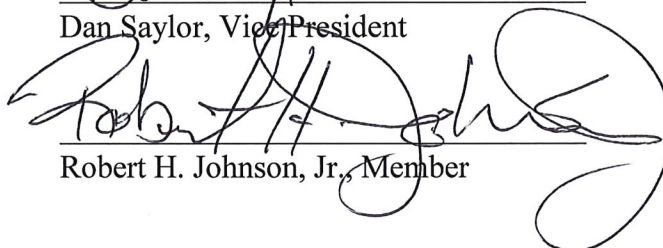
WARRICK COUNTY
BOARD OF COMMISSIONERS



Marlin Weisheit, President

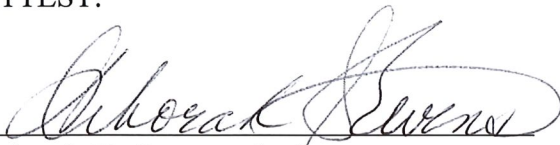


Dan Saylor, Vice President



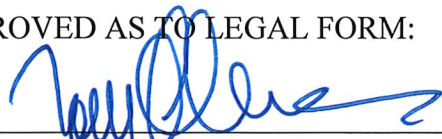
Robert H. Johnson, Jr., Member

ATTEST:



Deborah K. Stevens, Auditor
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:



Todd I. Glass, Esq. #13982-18
FINE & HATFIELD, A Professional Corporation
520 N.W. Second Street, P.O. Box 779
Evansville, Indiana 47705-0779
Telephone: (812) 425-3592
Warrick County Attorney