

RESOLUTION NUMBER 7262

WHEREAS, the Mayor and City Council have previously adopted a health care plan for its full-time employees; and

WHEREAS, the Mayor and City Council find and determine that the "City of Beatrice/Board of Public Works Employee Health Plan: OAP Option" should be amended as stated in Amendment Number 2, attached hereto as Exhibit "A" and incorporated herein by this reference, (hereinafter "OAP Amendment Number 2") and that such amendment go into effect on June 1, 2023; and

WHEREAS, the Mayor and City Council find and determine that the "City of Beatrice/Board of Public Works Employee Health Plan: High Deductible Health Plan Option" should be amended as stated in Amendment Number 2, attached hereto as Exhibit "B" and incorporated herein by this reference, (hereinafter "HDHP Amendment Number 2") and that such amendment go into effect on June 1, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BEATRICE, NEBRASKA:

SECTION 1. That the OAP Amendment Number 2 be and hereby is adopted.

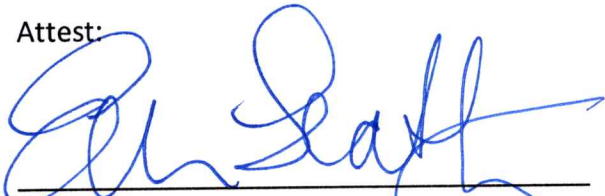
SECTION 2. That the HDHP Amendment Number 2 be and hereby is adopted.


SECTION 3. That the City Administrator be and hereby is authorized to execute the OAP Amendment Number 2, HDHP Amendment Number 2, and any and all other contracts, documents, exhibits and memoranda necessary to effectuate said Amendment.

SECTION 4. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

RESOLUTION PASSED AND ADOPTED this 1st day of April, 2024.

Attest:



Erin Saathoff, CMC, City Clerk

Robert Morgan, Mayor

Exhibit "A"

AMENDMENT #2
TO THE
PLAN DOCUMENT/SUMMARY PLAN DESCRIPTION
for the
CITY OF BEATRICE/BOARD OF PUBLIC WORKS
EMPLOYEE HEALTH PLAN
OAP OPTION - GROUP 2001026

Effective June 1, 2023, the City of Beatrice/Board of Public Works Employee OAP Option is amended as follows (**red** and *italics* means change or addition and ~~strikeout~~ means deletion):

Within "INTRODUCTION", the following paragraph is replaced as follows:

This Plan is not intended to, and cannot be used as workers' compensation coverage for any Employee or any covered Dependent of an Employee. Therefore, this Plan generally excludes claims related to any activity engaged in for wage or profit including, but not limited to, ~~farming, ranching,~~ part-time and seasonal activities. See Plan Exclusions for specific information.

Within "GENERAL PLAN EXCLUSIONS AND LIMITATIONS", item 4 is replaced as follows:

4. Charges by the Covered Person for all services and supplies resulting from any Illness or Injury which occurs in the course of employment for wage or profit, or in the course of any volunteer work when the organization, for whom the Covered Person is volunteering, has elected or is required by law to obtain coverage for such volunteer work under state or federal workers' compensation laws or other legislation, including Employees' compensation or liability laws of the United States (collectively called "Workers' Compensation"). This exclusion applies to all such services and supplies resulting from a work-related Illness or Injury even though:
 - A. Coverage for the Covered Person under Workers' Compensation provides benefits for only a portion of the services Incurred;
 - B. The Covered Person's employer/volunteer organization has failed to obtain such coverage required by law;
 - C. The Covered Person waived his/her rights to such coverage or benefits;
 - D. The Covered Person fails to file a claim within the filing period allowed by law for such benefits;
 - E. The Covered Person fails to comply with any other provision of the law to obtain such coverage or benefits;
 - F. The Covered Person is permitted to elect not to be covered by Workers' Compensation but failed to properly make such election effective; or
 - G. The Covered Person is permitted to elect not to be covered by Workers' Compensation and has affirmatively made that election.

This exclusion will not apply to household and domestic employment; or employment not in the usual course of the trade, business, profession or occupation of the Covered Person or Employee; *or work performed by a Covered Person on either the Covered Person's own farm or ranch, or a farm or ranch the Covered Person is renting or leasing;* or employment of a Dependent member of an Employee's family for whom an exemption may be claimed by the Employee under the Internal Revenue Code; or in cases in which it is legally impossible to obtain Workers' Compensation coverage for a specific Illness or Injury.

Nothing in this amendment is deemed to change any other provision of the Plan Document/Summary Plan Description of which it becomes a part.

CITY OF BEATRICE/BOARD OF PUBLIC WORKS

BY: _____

TITLE: _____



City Administrator

Exhibit "B"

AMENDMENT #2
TO THE
PLAN DOCUMENT/SUMMARY PLAN DESCRIPTION
for the
CITY OF BEATRICE/BOARD OF PUBLIC WORKS
EMPLOYEE HEALTH PLAN
HIGH DEDUCTIBLE HEALTH PLAN OPTION - GROUP 2001026

Effective June 1, 2023, the City of Beatrice/Board of Public Works Employee Health Plan High Deductible Health Option is amended as follows (**red** and *italics* means change or addition and ~~strikeout~~ means deletion):

Within "**INTRODUCTION**", the following paragraph is replaced as follows:

This Plan is not intended to, and cannot be used as workers' compensation coverage for any Employee or any covered Dependent of an Employee. Therefore, this Plan generally excludes claims related to any activity engaged in for wage or profit including, but not limited to, ~~farming, ranching,~~ part-time and seasonal activities. See Plan Exclusions for specific information.

Within "**GENERAL PLAN EXCLUSIONS AND LIMITATIONS**", item 4 is replaced as follows:

4. Charges by the Covered Person for all services and supplies resulting from any Illness or Injury which occurs in the course of employment for wage or profit, or in the course of any volunteer work when the organization, for whom the Covered Person is volunteering, has elected or is required by law to obtain coverage for such volunteer work under state or federal workers' compensation laws or other legislation, including Employees' compensation or liability laws of the United States (collectively called "Workers' Compensation"). This exclusion applies to all such services and supplies resulting from a work-related Illness or Injury even though:
 - A. Coverage for the Covered Person under Workers' Compensation provides benefits for only a portion of the services Incurred;
 - B. The Covered Person's employer/volunteer organization has failed to obtain such coverage required by law;
 - C. The Covered Person waived his/her rights to such coverage or benefits;
 - D. The Covered Person fails to file a claim within the filing period allowed by law for such benefits;
 - E. The Covered Person fails to comply with any other provision of the law to obtain such coverage or benefits;
 - F. The Covered Person is permitted to elect not to be covered by Workers' Compensation but failed to properly make such election effective; or
 - G. The Covered Person is permitted to elect not to be covered by Workers' Compensation and has affirmatively made that election.

This exclusion will not apply to household and domestic employment; or employment not in the usual course of the trade, business, profession or occupation of the Covered Person or Employee; *or work performed by a Covered Person on either the Covered Person's own farm or ranch, or a farm or ranch the Covered Person is renting or leasing;* or employment of a Dependent member of an Employee's family for whom an exemption may be claimed by the Employee under the Internal Revenue Code; or in cases in which it is legally impossible to obtain Workers' Compensation coverage for a specific Illness or Injury.

Nothing in this amendment is deemed to change any other provision of the Plan Document/Summary Plan Description of which it becomes a part.

CITY OF BEATRICE/BOARD OF PUBLIC WORKS

BY: 

TITLE:

City Administrator



MEMORANDUM

TO:	Mayor & City Council	DATE SUBMITTED:	March 26, 2024
FROM:	Tobias J. Tempelmeyer City Administrator and General Manager	FOR AGENDA OF:	April 1, 2024
SUBJECT:	Health Insurance Amendments	EXHIBIT(S):	Amendments

The proposed amendment is to our OAP and HDHP plans. This amendment is to more clearly outline the coverage for farm work. A year ago, we had an issue with a couple of claims for people injured while farming. While working through those claims, we discovered that there was plan language that should not have been changed. The proposed amendment will correct the issue and amend the coverage to what the City has always provided and intended to provide. The amend is dated June 1, 2023 to match up with the last restatement of our insurance policy.