

ORDINANCE NO. 2024- __

AN ORDINANCE OF POLK COUNTY, FLORIDA, AMENDING ORDINANCE NO. 2018-073, ENTITLED “THE POLK COUNTY GOVERNMENT’S RETIREE INSURANCE BENEFITS ORDINANCE” (AS PREVIOUSLY AMENDED BY ORD. NO. 2020-044, THE “ORDINANCE”); AMENDING SECTION 2 OF THE ORDINANCE TO ALLOW UNDER-65 RETIREES WHO RETIRED PRIOR TO NOVEMBER 20, 2018, TO ELECT, FOR A LIMITED 90-DAY PERIOD, TO CEASE PARTICIPATION IN THE GROUP HEALTH INSURANCE PLAN, ENTER INTO INACTIVE STATUS, AND ENROLL ONE TIME AT A LATER DATE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 20, 2018, the Board of County Commissioners of Polk County, Florida (the “Board”) enacted Ordinance No. 2018-073 entitled "the Polk County Government's Retiree Insurance Benefits Ordinance (as subsequently amended by Ordinance No. 2020-044, the "Ordinance");” and

WHEREAS, Section 2 of the Ordinance allows a Retired Employee (defined as a Retiree, Eligible Non-Retiree, or Under-65 Retiree) who retires on or after November 20, 2018, to elect to cease participation in the group health insurance plan upon retirement, enter into Inactive Status, and enroll one time at a later date; and

WHEREAS, the Board wishes to amend Section 2 of the Ordinance to allow Under-65 Retirees who retired prior to November 20, 2018, and any of their Eligible Dependents, to elect, for a limited 90-day period, to cease participation in the group health insurance plan, enter into Inactive Status, and enroll one time at a later date.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, THAT:

1. Recitals / Defined Terms. The recitals stated above are true, correct and fully incorporated herein by reference. Capitalized terms not otherwise defined herein shall have the meaning ascribed in the Ordinance.

2. Amendment of Section 2. The second paragraph of Section 2 of the Ordinance is hereby amended to read as follows (strikethrough shall mean the word has been deleted and underline shall mean the word has been added):

A Retired Employee, who retires on or after November 20, 2018, has the option to elect to cease participation in the group health insurance plan upon retirement, enter into Inactive Status, and enroll at a later date. Notwithstanding the preceding sentence, an Under-65 Retiree who retired prior to November 20, 2018, shall have the option, through December 2, 2024, to elect to cease participation in the group health insurance plan, enter into Inactive Status, and enroll at a later date. After entering Inactive Status, the Retired Employee and any Eligible Dependents may exercise the option to enroll in the County health insurance plan one time. Within 30 days of the employment termination date, or with respect to Under-65 Retirees who retired prior to

November 20, 2018, by no later than December 2, 2024, the Retired Employee desiring to be placed on Inactive Status must complete an application with Human Resources to enter into Inactive Status. While on Inactive Status, the Retired Employee (and Eligible Dependents) must enroll and remain enrolled in an insurance plan through another employer or the health insurance marketplace (or equivalent). Should the Retired Employee exercise the one-time option to enroll at a later date and leave Inactive Status, it is the responsibility of the Retired Employee to contact the Human Resources office and complete any and all requirements for enrollment. The Retired Employee will be required to submit evidence of health insurance coverage the entire duration of Inactive Status, with no more than a brief, reasonable coverage gap in the transition between private health insurance and County health insurance. Eligible Dependents of the Retired Employee may enroll at the same time the Retired Employee enters active status or after the date the Retired Employee enters active status. Only Eligible Dependents who were eligible on the date of the Retired Employee's retirement have the option to apply for Inactive Status and enroll one time at a later date.

3. Severability. It is declared to be the intent of the Board of County Commissioners of Polk County, Florida, that if any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of this ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provision, and shall not be affected by such holding. Except as specifically amended herein, Ordinance No. 2018-073, as previously amended by Ord. No. 2020-044, shall remain in full force and effect.

4. Filing / Effective Date.

This Ordinance shall be filed with the Office of the Secretary of State of the State of Florida and shall take effect on September 3, 2024 (the "Effective Date").

APPROVED by the Board of County Commissioners of Polk County, Florida this 3rd day of September, 2024.