

# ***Resolution of the Flathead Reservation Water Management Board***

## ***#frwmb 04(2023): Office of the Engineer Health Care Benefits***

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**Date of Original Approval:** December 13, 2023

**Purpose:** Define, Authorize, and Fund Office of the Engineer Health Care Benefits

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### **Authority Granted:**

The Flathead Reservation Water Management Board (FRWMB or Board) is authorized pursuant the Compact Article IV.I.5.c to hire a Water Engineer and the Water Engineer is authorized pursuant the Ordinance Section 1-2-105 to supervise and manage staff of the Office of the Water Engineer (OE), thereby necessitating the recruitment of staff and complying with Federal and State laws and regulations that govern employment and labor. Federal law requires minimum essential health care coverage to be offered to full-time employees and full-time employees' dependents. Health care benefits beyond these minimums serve to attract and retain the quality staff needed to comply with the complex and abundant mandatory requirements of the Compact and the Ordinance that are assigned to the FRWMB, the Water Engineer, and OE staff. Absent an appropriate number of quality staff, the FRWMB's requirements under the Compact and Ordinance cannot be achieved.

### **In General:**

For purposes of this resolution, Health Care Benefits (HCB) is a term encompassing a package of benefits including, but not limited to: health insurance, dental insurance, vision insurance, short and long-term disability insurance, life insurance, supplemental and spousal life insurance, long-term care insurance, and health or flexible savings accounts (HSA/FSA).

FRWMB will provide HCB to an estimated five to ten employees, including the Water Engineer.

Health Care Benefits are one of the most important benefits workers expect from their employers. As a government instrumentality, the FRWMB intends to provide HCB that are comparable to other governmental entities in order to remain competitive for recruiting and retention of staff. As compared to employee group plans associated with larger government entities, some benefits are not available to FRWMB employees, such as government operated health clinics, robust wellness programs that include wellness discounts, discounted benefit rates associated with larger government employee groups, and special medical service contracts. The FRWMB strategy to provide comparable benefits is to offer an HSA-eligible high-deductible plan with lower monthly premiums but offsets the increased deductible costs by making significant contributions to individual employee HSAs. These contributions carry over when an employee or their dependents do not incur medical expenses significant enough to consume HSA contributions made by themselves and the FRWMB. HSAs are owned by the employee. The recommended high-deductible plan also provides the benefit of 100% coverage after deductibles are met, thereby providing excellent coverage when medical expenses do exceed individual or family deductibles.

### **Individual HCB Plan Selections and Cost Responsibilities:**

The FRWMB has selected a single plan to be offered to all OE employees, but some of the individual plans allow the employee to customize the amounts of coverage to be chosen.

The below table sets the types individual benefit plans that will make up the FRWMB HCB package and includes the cost responsibilities for each plan element. Plan responsibilities take the form of percentages to allow for expected year-to-year changes in costs and selection to occur without necessitating an amendment to this resolution.

Benefit Type	Benefit Plan	Employer Contribution	Employee Contribution
Health Insurance: Individual	Blue Cross Blue Shield: Blue Preferred PPO HSA Plan <b>G6E1PFR</b>	100%	
Health Insurance: Dependents	Blue Cross Blue Shield: Blue Preferred PPO HSA Plan <b>G6E1PFR</b>	75%	25%
Dental Insurance: Individual + Dependents	Delta Dental PPO Premium: Deluxe 200 Option/Quote #1	100%	
Vision Insurance: Individual + Dependents	Delta Dental Option One: Delta Vision Deluxe	100%	
Basic Life Insurance & AD&D	Blue Cross Blue Shield Plan 4 (\$100,000)	100% of 1st \$50,000	100% of Additional
Dependent Basic Life/AD&D	Blue Cross Blue Shield Plan 1 (\$10,000 Spouse/\$5,000 Child)		100%
Supplemental Life Employee + Dependents	Blue Cross Blue Shield Plan 1 (variable by coverage & age)		100%
Basic Short-Term Disability	Blue Cross Blue Shield Plan 14	50%	50%
Basic Long-Term Disability	Blue Cross Blue Shield Plan 7	50%	50%
FSA & Dependent Care	?????	?????	?????
HSA Contribution per 24 Pay Periods: Employee Only/Employee + Dependents	Blue Cross Blue Shield: Blue Preferred PPO HSA Plan <b>G6E1PFR</b>	100% of Employee Only Deductible/ 75% of Employee + Dependents Deductible	Optional up to Maximum IRS Allowable

#### Vendor Selection:

The FRWMB will enter into a contract with **Atel Insurance or Payne West Insurance** for the purpose of purchasing a HCB package. The agreement term will be defined by the contract and reevaluated every November to assess contractor performance, individual HCB selections, and OE HCB satisfaction.

### **Schedule of Enrollment and Participation:**

The FRWMB HCB benefits follow the calendar year, which is also the FRWMB fiscal year, and as such, participating employee deductibles and eligible service periods are also based on the calendar year.

### **FRWMB Employee Eligibility:**

The FRWMB will provide the HCB defined in this document to full-time employees and dependents of full-time employees and make the insurance available within **two months** of start of employment with the OE.

Full-time employees are defined in the OE Personnel Policies as being an employee who works 32 to 40 hours per week, or 130 hours or more per month, for the FRWMB. Contract employees are not eligible for health benefits or a portion thereof unless their contract specifically defines and offers health benefits that are defined by this resolution.

### **Participating Employee Privacy:**

The FRWMB and the OE will comply with the Health Insurance Portability and Accountability Act (HIPAA). Beyond a general description and training of the HCB process and coordination with the FRWMB's insurance vendor, the FRWMB and the OE are not responsible for directly assisting OE employees in making claims or directly working with an employee's personal health information and therefore should not be in possession of participating OE employees' HIPAA-protected information that relates direction to the HCB.

Requests to the HCB vendor for information about the plan performance and implementation will specify not to include any employee's personal HIPAA-protected information. The FRWMB and the Water Engineer will maintain adequate separation from employees' HIPAA-protected information.

Any information collected and kept about an employee's election of HCB will be treated as privileged and private information to be kept in the employee's personnel file in a locked location with access limited to the Water Engineer, HCB vendor, and members of the Board assigned personnel responsibilities.

### **FRWMB HCB Participation is Voluntary:**

OE employee participation in the FRWMB HCB is not mandatory. An OE employee who is eligible to participate may opt out of participating in the HCB by providing written documentation to that effect to the Water Engineer. An eligible employee may reinstate with the FRWMB HCB upon additional written notice submitted to the Water Engineer as long as the terms are consistent with the contract with the HCB vendor. The FRWMB has **two months** to achieve enrollment of an eligible existing employee who chooses to rescind their previous opt out of the FRWMB HCB.

### **The Water Engineer is assigned HCB authority and responsibility from the Board:**

The Water Engineer will engage with the HCB vendor, achieve a contract that closely represents the terms of this resolution, execute the contract, and expend funds on behalf of the FRWMB that are necessary to implement this resolution.

The Water Engineer will coordinate with FRWMB payroll/accounting services to manage employee and employer contributions to the HCB.

The Water Engineer will collect and disseminate HCB information needed to educate OE employees about the FRWMB HCB package achieved.

The Water Engineer is responsible for renewing this contract or bringing before the Board if there is a need to reevaluate the FRWMB HCB arrangement described in this resolution.

The Water Engineer will assist new and existing employees who would like to participate in the HCB package to enroll in the plan the HCB.

The Water Engineer will receive, review, and enact OE employee written documentation requesting to opt out of the FRWMB HCB.

The Water Engineer may delegate coordination, training, and management responsibility of the FRWMB's role with the HCB, with the exception of fiscal authorization and the renewal or modification of the HCB contract.

**Surplus HCB Budget Allocations:**

If OE operations and staffing result in excess HCB budgets, the Water Engineer may present that information to the Board and the Board may decide to provide HCB-participating employees with temporary boosts to employer percentage payment for HCB plans or one-time additions of employer contributions to HCB participating employee's HSA accounts.

**Consolidated Omnibus Budget Reconciliation Act (COBRA):**

OE HCB-participating employees who experience a qualifying event as defined by federal law are eligible to receive COBRA, which is an extension of health care coverage similar to the coverage that the employee had before the qualifying event. The coverage must be available for at least 18 months after separation from OE employment. The employee must pay the entire premium for the coverage, plus a small administrative fee. The employer must notify employees of their COBRA rights within 60 days of the qualifying event.

**Resolution Certification**

This resolution, #frwmb 04, is hereby adopted by the Flathead Reservation Water Management Board on **December 13, 2023**, with \_\_\_\_ members voting in favor and \_\_\_\_ members voting opposed. This resolution hereby serves to guide and govern the Board and OE operations.

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Board Chair, Clayton Matt: Date: \_\_\_\_\_

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Board Vice Chair, Roger A. Noble: Date: \_\_\_\_\_

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Water Engineer Acknowledgement: Date: \_\_\_\_\_