



State Budget Conference Chairs

**Bump Issues
Senate Offer**

Section 8

Pay Benefits

Senate Offer accepted by the House

Monday, April 26, 2010

SECTION 8. SALARIES AND BENEFITS - FISCAL YEAR 2010 - 2011

Statement of Purpose:

This section provides instructions for implementing the Fiscal Year 2010-2011 salary and benefit adjustments provided in this act. All allocations, distributions and uses of these funds are to be made in strict accordance with the provisions of this act.

(1) EMPLOYEE AND OFFICER COMPENSATION

The elected officers, full-time members of commissions and designated employees shall be paid at the annual rate shown for the 2010-2011 fiscal year; however, these salaries may be reduced on a voluntary basis.

	7/1/10
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Governor.....	\$ 130,273
Lieutenant Governor.....	\$ 124,851
Chief Financial Officer.....	\$ 128,972
Attorney General.....	\$ 128,972
Agriculture, Commissioner of.....	\$ 128,972
Supreme Court Justice.....	\$ 157,976
Judges-District Courts of Appeal.....	\$ 150,077
Judges-Circuit Courts.....	\$ 142,178
Judges-County Courts.....	\$ 134,280
State Attorneys.....	\$ 150,077
Public Defenders.....	\$ 150,077
Commissioner-Public Service Commission.....	\$ 130,036
Public Employees Relations Commission Chair.....	\$ 95,789
Public Employees Relations Commission Commissioners.....	\$ 90,724
Commissioner - Parole and Probation.....	\$ 90,724
Criminal Conflict and Civil Regional Counsels.....	\$ 98,000

None of the officers, commission members, or employees whose salaries have been fixed in this section shall receive any supplemental salary or benefits from any county or municipality.

(2) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE

(a) State Life Insurance

For the coverage period July 1, 2010, through December 31, 2010, funds are provided in each agency's budget to continue paying the state share of the current State Life Insurance Program. Effective December 1, 2010, for the coverage period beginning January 1, 2011, funds are provided in each agency's budget to pay the full premium for each employee for a \$25,000 life insurance policy. The Department of Management Services shall continue the optional life insurance program based on premiums paid by employees only.

(b) State Disability Insurance

Funds are provided in each agency's budget to continue paying the state share of the current State Disability Insurance Program.

(c) State Health Insurance Plans and Benefits

1. For the period July 1, 2010, through June 30, 2011, the Department of Management Services shall continue within the State Group Insurance Program a State Group Health Insurance Standard Plan, a State Group Health Insurance High Deductible Health Plan, a State-contracted Health Maintenance Organization Standard Plan, and a State-contracted Health Maintenance Organization High Deductible Health Plan. The State-contracted Health Maintenance Organization High Deductible Health Plan may be offered by each of the Health Maintenance Organizations under contract with the Department of Management Services for the 2011 Plan Year. In renewing the contracts with the health maintenance organizations for plan year 2011, the Department of Management Services must limit the increases in premiums paid on behalf of active employees and officers to no more than three percent statewide for each contract.

2. For the period July 1, 2010, through December 31, 2010, the benefits provided under the State Group Health Insurance Standard Plan, the State Group Health Insurance High Deductible Health Plan, the State-contracted Health Maintenance Organization Standard Plan, and the State-contracted Health Maintenance Organization High Deductible Health Plan, as appropriate, shall be those benefits as provided in the current State

Employees' PPO Plan Group Health Insurance Plan Booklet and Benefit Document, current Health Maintenance Organization contracts, and other such health insurance benefits as approved by the Legislature in subparagraph 3. However, the benefits shall be modified as necessary to conform to the provisions of the Florida Clinical Trial Compact.

3. Beginning January 1, 2011, for Plan Year 2011 the following benefits provided under the State Group Health Insurance Program will be modified to include:

a. For the standard HMO plans:

i. The copayment for an urgent care physician visit shall be increased from \$15 to \$25 per visit;

ii. The copayment for an emergency room visit shall be increased from \$50 to \$100 per visit

iii. The copayment for a primary care physician visit shall be increased from \$15 to \$20 per visit;

iv. The copayment for a specialist physician visit shall be increased from \$25 to \$40 per visit;

b. For the standard PPO plan:

i. The copayment for an urgent care physician visit shall be increased from \$15 to \$25 per visit;

ii. The copayment for an emergency room visit shall be increased from \$50 to \$100 per visit

iii. Mammograms shall be deemed preventative benefits.

4. The State Group Health Insurance High Deductible Health Plan and the State-contracted Health Maintenance Organization High Deductible Health Plan shall continue to include an integrated Health Savings Account. Such plans and accounts shall be administered in accordance with the requirements and limitations of federal provisions relating to the Medicare Prescription Drug, Improvement, and Modernization Act of 2003. The state shall make a monthly contribution to an employee's health savings account as authorized in section 110.123(12), Florida Statutes.

(d) State Health Insurance Premiums for the Period July 1, 2010, through June 30, 2011

1. State Paid Premiums

a. For the coverage period July 1, 2010, through December 31, 2010, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies shall continue at \$473.62 per month for individual coverage and \$1,004.14 per month for family coverage.

b. For the coverage period beginning January 1, 2011, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies shall increase, effective December 1, 2010, from \$473.62 to \$499.80 per month for individual coverage and from \$1,004.14 to \$1063.34 per month for family coverage.

c. Funds are provided in each state agency and university's budget to continue paying the State Group Health Insurance Program premiums for the fiscal year. Funds are provided in Specific Appropriation 2183A for distribution to agencies to pay the incremental cost of the premium increase, effective December 1, 2010.

d. The agencies shall continue to pay premiums on behalf of employees who have enhanced benefits, including those employees participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code, and those employees filling positions with "agency pay all" benefits.

i. Effective July 1, 2010, for the coverage period beginning August 1, 2010 through December 31, 2010, the state share of the State Group Health Insurance Premiums to the executive, legislative and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall be \$515.30 per month for individual coverage and \$1154.14 per month for family coverage.

ii. For the coverage period beginning January 1, 2011, the state share of the State Group Health Insurance Program premiums to the executive, legislative, and judicial branch agencies for employees with enhanced benefits, excluding Spouse Program participants, shall increase, effective December 1, 2010, from \$515.30 to \$541.46 per month for individual coverage and \$1154.14 to \$1213.34 per month for family coverage.

iii. Effective July 1, 2010, for the coverage period beginning August 1, 2010 through December 31, 2010, the state share of the State Group Health Insurance Premiums to the executive, legislative, and judicial branch agencies for each employee participating in the Spouse Program shall be \$577.08 per month for family coverage.

iv. For the coverage period beginning January 1, 2011, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies for employees participating in the Spouse Program shall increase, effective December 1, 2010, from \$577.08 to \$621.66 per month for family coverage.

2. Premiums Paid by Employees

a. For the coverage period July 1, 2010, through June 30, 2011, the employee's share of the health insurance premiums for the standard plans shall continue at \$50 per month for individual coverage and \$180 per month for family coverage.

b. For the coverage period July 1, 2010, through June 30, 2011, the employee's share of the health insurance premium for the high deductible health plans shall continue at \$15 per month for individual coverage and \$64.30 per month for family coverage.

c. i. For the coverage period beginning July 1, 2010, through July 31, 2010, employees filling positions with "agency pay all" benefits or participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code, shall be exempt from paying health insurance premiums for this period.

ii. Effective July 1, 2010, for the coverage period beginning August 1, 2010, the employee's share of the health insurance premium for the standard plans and the high deductible health plans shall be \$8.34 per month for individual coverage and \$30 per month for family coverage. This subparagraph applies to those employees filling positions with "agency pay all" benefits.

iii. Effective July 1, 2010, for the coverage period beginning August 1, 2010, the employee's share of the health insurance premium for the standard plans and the high deductible health plans shall be \$15 per month for each employee participating in the Spouse Program in accordance with section 60P-2.0036, Florida Administrative Code, either as a "spouse" or "dependent spouse".

3. Premiums Paid by Medicare Participants

a. For the coverage period July 1, 2010, through December 31, 2010, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall continue to be \$278.02 for "one eligible", \$801.64 for "one under/one over", and \$556.04 for "both eligible."

b. For the coverage period beginning January 1, 2011, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall increase, effective December 1, 2010 from \$278.02 to \$305.82 for "one eligible", from \$801.64 to \$881.80 for "one under/one over", and from \$556.04 to \$611.64 for "both eligible."

c. For the coverage period July 1, 2010, through December 31, 2010, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall continue to be \$209.56 for "one eligible", \$656.52 for "one under/one over", and \$419.12 for "both eligible."

d. For the coverage period beginning January 1, 2011, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall increase, effective December 1, 2010, from \$209.56 to \$230.52 for "one eligible", from \$656.52 to \$722.16 for "one under/one over", and from \$419.12 to \$461.04 for "both eligible."

e. For the coverage period July 1, 2010, through June 30, 2011, the monthly premiums for Medicare participants enrolled in a State-contracted Health Maintenance Organization Standard Plan or a State-contracted Health Maintenance Organization High Deductible Health Plan shall be equal to the negotiated monthly premium for the selected State-contracted Health Maintenance Organization.

4. Premiums paid by "Early Retirees"

a. For the coverage period July 1, 2010, through June 30, 2011, an "early retiree" participating in the State Group Health Insurance Standard plan shall pay a monthly premium equal to 100 percent of the total premium charged (state and employee contributions) for an active employee participating in the standard plan.

b. For the coverage period July 1, 2010, through December 31, 2010, an "early retiree" participating in the State Group Health Insurance High Deductible Plan shall pay a monthly premium equal to \$446.96 for single coverage and \$985.11 for family coverage.

c. For the coverage period beginning January 1, 2011, the monthly premium for an "early retiree" participating in the State Group Health Insurance High Deductible Plan shall increase, effective December 1, 2010, from \$446.96 to \$473.12 for single coverage and \$985.11 to \$1,044.32 for family coverage.

5. Premiums Paid by COBRA Participants

a. For the coverage period July 1, 2010, through May 31, 2011, a COBRA participant participating in the State Group Health Insurance Standard Plan shall continue to pay a monthly premium equal to 102 percent of the total premium charged (state and employee contributions) for an active employee participating in the standard plan on July 1, 2009. Effective, May 1, 2011, the monthly premium shall increase to 102 percent of the total premium charged (state and employee contribution) on May 1, 2011.

b. For the coverage period July 1, 2010, through May 31, 2011, a COBRA participant participating in the State Group Health Insurance High Deductible Plan shall pay a monthly premium equal to \$455.90 for single coverage and \$1,004.81 for family coverage.

c. For the coverage period beginning June 1, 2011, the monthly premium for a COBRA participant in the State Group Health Insurance High Deductible Plan shall increase, effective May 1, 2011, from \$455.90 to \$482.60 for single coverage and \$1004.81 to \$1,067.24 for family coverage.

e) Under the State Employees' Prescription Drug Program, the following shall apply:

1. Supply limits shall continue as provided in section 110.12315, Florida Statutes.

2. For the period July 1, 2010, through December 31, 2010, co-payments for the State Group Health Insurance Standard Plan shall be as follows:

- a. \$10 co-payment for generic drugs with card;
- b. \$25 for preferred brand name drug with card;
- c. \$40 nonpreferred brand name drug with card;
- d. \$20 for generic mail order drug;
- e. \$50 for preferred brand name mail order drug;
- f. \$80 for nonpreferred brand name mail order drug;

3. For the period January 1, 2011, through June 30, 2011, co-payments for the State Group Health Insurance Standard Plan shall be as follows:

- a. \$7 co-payment for generic drugs with card;
- b. \$30 for preferred brand name drug with card;
- c. \$50 nonpreferred brand name drug with card;
- d. \$14 for generic mail order drug;
- e. \$60 for preferred brand name mail order drug;
- f. \$100 for nonpreferred brand name mail order drug;

4. For the period July 1, 2010, through June 30, 2011, coinsurance for the State Group Health Insurance High Deductible Plan continue as provided in section 112.12315(7), Florida Statutes.

5. For the 2011 Plan Year, and notwithstanding the provisions of subparagraph 3. to the contrary, for the purpose of encouraging an individual to change from brand name drugs to generic drugs, the department may waive co-payments for a six months' supply of a generic statin or a generic proton pump inhibitor.

6. The Department of Management Services shall maintain the preferred brand name drug list to be used in the administration of the State Employees' Prescription Drug Program.

7. The Department of Management Services shall maintain a listing of certain maintenance drugs that must be filled through mail order. Those drugs on the list may be filled three times in a retail pharmacy; thereafter, any covered prescriptions must be filled through mail order.

(e) For the period July 1, 2010, through June 30, 2011, the co-payments and coinsurance for prescription drugs with state-contracted health maintenance organizations shall be identical to the copayments and coinsurance established under the State Employees' Prescription Drug Program.

(f) The HMO and PPO pharmacy plans shall provide coverage for smoking cessation prescription drugs; however, members shall be responsible for appropriate copayments and deductibles when applicable. The smoking cessation prescription drug benefit shall be limited to up to a six month supply within any plan year and a maximum lifetime benefit of no more than nine months supplied.

3) OTHER BENEFITS

(a) The following items shall be implemented in accordance with the provisions of this act and with the applicable negotiated collective bargaining agreement:

1. The state shall provide up to six (6) credit hours of tuition-free courses per term at a state university, state college or community college to full-time employees on a space available basis as authorized by law.

2. The state shall continue to reimburse, at current levels, for replacement of personal property.

3. The state shall continue to provide, at current levels, clothing allowances and uniform maintenance and shoe allowances.

4. No state agency may expend funds provided in this act for bar dues.

(b) All state branches, departments, and agencies which have established or approved personnel policies for the payment of accumulated and unused annual leave, shall not provide payment which exceeds a maximum of 480 hours of actual payment to each employee for accumulated and unused annual leave.

(c) Upon termination of employees in the Senior Management Service, Selected Exempt Service, or positions with comparable benefits, payments for unused annual leave credits accrued on the member's last anniversary date shall be prorated at 1/12th of the last annual amount credited for each month, or portion thereof, worked subsequent to the member's last anniversary date.

(4) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS

The following pay additives and other incentive programs are authorized for the 2010-2011 fiscal year from existing agency resources consistent with provisions of sections 110.2035 and 216.251, Florida Statutes, the applicable administrative rules promulgated by the Department of Management Services, and negotiated collective bargaining agreements.

(a) Each agency is authorized to continue to pay, at the levels in effect on June 30, 2007, on-call fees and shift differentials as necessary to perform normal operations of the agency.

(b) Each agency that had a training program in existence on June 30, 2006, which included granting pay additives to participating employees, is authorized to continue such training program for the 2010-2011 fiscal year. Such additives shall be granted under the provisions of the law, administrative rules, and collective bargaining agreements.

c) The Department of Corrections may continue to grant hazardous duty pay additives, as necessary, to those employees assigned to the Department of Corrections institutions' Rapid Response Teams (including the baton, shotgun, and chemical agent teams) and the Correctional Emergency Response Teams.

(d) The Fish and Wildlife Conservation Commission may continue to grant temporary special duty pay additives to law enforcement officers who perform additional duties as K-9 handlers, as regional recruiters/media coordinators and as breath test operators/inspectors.

(e) The Fish and Wildlife Conservation Commission and the Department of Highway Safety and Motor Vehicles are authorized to grant critical market pay additives to employees residing in and assigned to Lee County, Collier County, or Monroe County, at the levels that the employing agency granted salary increases for similar purposes prior to July 1, 2006. These pay additives shall be granted only during the time in which the employee resides in, and is assigned to duties within, those counties. In no instance may the employee receive an adjustment to the employee's base rate of pay and a critical market pay additive based on the employee residing in and being assigned in the specified counties.

(f) The Department of Transportation is authorized to continue its training program for employees in the field of transportation engineering under the same guidelines established for the training program prior to June 30, 2006.

(g) The Department of Transportation is authorized to continue its training program for employees in the areas of right-of-way acquisition, relocation benefits administration, right-of-way property management, real estate appraisal, and business valuation under the same guidelines established for the training program prior to June 30, 2006.

(h) The Department of Transportation is authorized to continue to grant a pay additive of \$75 per pay period for law enforcement officers assigned to the Office of Motor Carrier Compliance who maintain certification by the Commercial Vehicle Safety Alliance.

(i) Each agency is authorized to continue to grant temporary special duties pay additives to employees assigned additional duties as a result of another employee being absent from work pursuant to the Family Medical Leave Act or authorized military leave. The notification process described in section 110.2035(6)(c), Florida Statutes, does not apply to additives authorized in this paragraph.

(j) Each agency is authorized to grant merit pay increases based on the employee's exemplary performance as evidenced by a performance evaluation conducted pursuant to chapter 60L-35, Florida Administrative Code, or a similar performance evaluation applicable to other pay plans.

(k) Contingent upon the availability of funds and at the agency head's discretion, each agency is authorized to grant a temporary special duties pay additive, of up to 15 percent of the employee's base rate of pay, to each employee temporarily deployed to a facility or area closed due to emergency conditions from another area of the state that is not closed.

(5) COLLECTIVE BARGAINING

(a) All collective bargaining issues at impasse between the State of Florida and AFSCME Council 79, the Federation of Public Employees, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, and the Florida Nurses Association relating to wages and other economic issues shall be resolved herein pursuant to the instructions provided under Item "(1) EMPLOYEE AND OFFICER COMPENSATION", Item "(3) OTHER BENEFITS", and Item "(4) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS."

(b) All collective bargaining issues at impasse between the State of Florida and AFSCME Council 79, the Federation of Public Employees, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, and the Florida Nurses Association relating to insurance benefits shall be resolved herein pursuant to the instructions provided under Item "(2) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE" and the relevant provisions of any legislation enacted to implement this act.