

## 1 SENATE BILL NO. 467

2 INTRODUCED BY J. ESP

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF ADMINISTRATION TO  
5 ESTABLISH A HEALTH SAVINGS ACCOUNT PROGRAM FOR STATE EMPLOYEES THAT MEETS THE  
6 FEDERAL REQUIREMENTS FOR HEALTH SAVINGS ACCOUNTS; AND PROVIDING DEFINITIONS."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 NEW SECTION. **Section 1. Department to establish health savings account program.** (1) The  
11 department shall establish, as part of a group benefit plan offered to state employees and their dependents, a  
12 health savings account program meeting the requirements for health savings accounts established by the  
13 Medicare Prescription Drug, Improvement, and Modernization Act of 2003, Public Law 108-173.

14 (2) The program established by the department must offer at least two high-deductible health plans in  
15 conjunction with the use of a health savings account for the deposit of contributions by a state employee and  
16 the employee's state employer. The department may, under rules adopted by the department and in lieu of a  
17 high-deductible health plan for a state employee, accept the use of a high-deductible health insurance policy  
18 purchased by that employee.

19 (3) The program required by this section must be offered to state employees no later than January 1,  
20 2006.

21 (4) As used in this section:

22 (a) "Health savings account" means a savings or other account meeting the requirements of 26 U.S.C.  
23 223.

24 (b) "High-deductible health plan" has the meaning provided in 26 U.S.C. 223(c)(2).

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26 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
27 integral part of Title 2, chapter 18, part 8, and the provisions of Title 2, chapter 18, part 8, apply to [section 1].

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