



AN ACT ESTABLISHING A HIGH-DEDUCTIBLE HEALTH PLAN WITH A HEALTH SAVINGS ACCOUNT AS AN OPTIONAL HEALTH PLAN OFFERED UNDER THE STATE EMPLOYEE GROUP BENEFITS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

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

**Section 1. High-deductible health plan -- health savings account -- contributions.** (1) As an alternative to the conventional state employee group benefits coverage offered under this part, the department shall offer as an optional health plan a high-deductible health plan with a health savings account, as provided in section 223 of the Internal Revenue Code, 26 U.S.C. 223.

(2) The department shall comply with the Montana Procurement Act, Title 18, chapter 4, prior to offering as an optional health plan a high-deductible health plan with a health savings account.

(3) If a state employee enrolls in a high-deductible health plan, the department may, on a monthly basis and in an amount not to exceed the maximum allowable contribution under section 223 of the Internal Revenue Code, 26 U.S.C. 223, deposit into the state employee's health savings account an amount to be determined annually by the department, after consultation with the office of budget and program planning, based on the actuarial value of the risk-adjusted high-deductible health plan.

(4) A state employee may make additional contributions to the health savings account in accordance with the maximum allowable contribution under section 223 of the Internal Revenue Code, 26 U.S.C. 223.

(5) For the purposes of this section, the following definitions apply:

(a) "Health savings account" means an account established exclusively for the purposes of paying the qualified medical expenses of the account beneficiary and has the same meaning as provided under section 223 of the Internal Revenue Code, 26 U.S.C. 223.

(b) "High-deductible health plan" means a health plan with an annual deductible of not less than a specific amount under the Internal Revenue Code and has the same meaning as provided under section 223 of the Internal Revenue Code, 26 U.S.C. 223.

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

**Section 3. Effective date.** [This act] is effective on passage and approval.

**Section 4. Applicability.** [This act] applies to state employee group benefit plans offered after December 31, 2013.

- END -

I hereby certify that the within bill,  
HB 0162, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2013.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2013.

HOUSE BILL NO. 162

INTRODUCED BY FLYNN, FITZPATRICK, HANSEN, C. SMITH

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