HOUSE No. 3543

The Commonwealth of Massachusetts

PRESENTED BY:

Geraldine M. Creedon

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to fair share employer contribution.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Geraldine M. Creedon	11th Plymouth
Christine E. Canavan	10th Plymouth
Michael D. Brady	9th Plymouth
Cory Atkins	14th Middlesex
Jennifer E. Benson	37th Middlesex
Geoff Diehl	7th Plymouth
James J. Dwyer	30th Middlesex
Randy Hunt	5th Barnstable
James J. Lyons, Jr.	18th Essex
Timothy R. Madden	Barnstable, Dukes and Nantucket
Paul McMurtry	11th Norfolk
William Smitty Pignatelli	4th Berkshire
Elizabeth A. Poirier	14th Bristol
Todd M. Smola	1st Hampden

HOUSE No. 3543

By Ms. Creedon of Brockton, a petition (accompanied by bill, House, No. 3543) of Geraldine M. Creedon and others relative to fair share employer health care contributions. Health Care Financing.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to fair share employer contribution.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- SECTION 1. Subsection (a) of section 188 of chapter 149, as appearing in the 2010
- 2 Official Edition, is hereby amended by adding the following definition:-
- 3 "Exempted employer", an employer whose employees are dependents under a group
- 4 health plan, as defined in 26 U.S.C. 5000(b)(1).
- 5 SECTION 2. Said section 188 of said chapter 149 is hereby further amended by striking
- 6 out the first sentence, as appearing in section 135 of chapter 3 of the acts of 2011, and inserting
- 7 in place thereof the following sentence: For the purpose of more equitably distributing the costs
- 8 of health care provided to uninsured residents of the commonwealth, each employer that (i)
- 9 employs 11 or more full-time equivalent employees in the commonwealth and (ii) is not a
- 10 contributing employer nor an exempted employer shall pay a per-employee contribution at a time
- and in a manner prescribed by the director of unemployment assistance, in this section called the
- 12 fair share employer contribution.

- SECTION 3. Said section 188 of said chapter 149, as appearing in the 2010 Official
- 14 Edition, is hereby further amended by adding the following subsection:-
- 15 (f) Each exempted employer shall provide the department with evidence that its
- 16 employees are dependents under a group health plan, as defined by 26 U.S.C. 5000(b)(1), at a
- 17 time and in a manner prescribed by the director of unemployment assistance.