ORDINANCE NO. 2025-035

DELAWARE COUNTY COMMISSIONERS

AN ORDINANCE RESCINDING ORDINANCES 2014-040A AND 2013-003 AND DEFINING INSURANCE FOR DELAWARE COUNTY RETIREES AND REMOVING SPOUSES AND DEPENDENTS FROM COVERAGE

WHEREAS, Ordinance 2013-003 "Ordinance Defining Insurance for Delaware County Retirees" was adopted on or about April 1, 2013, and included, but was not limited to, eligibility requirements for retirement insurance coverage; and

WHEREAS, Ordinance 2014-040A "An Ordinance Amending Ordinance 2013-003 Ordinance Defining Insurance for Delaware County Retirees" was adopted on or about December 15, 2014, and modified the continuous years of service required for elected officials to qualify for retiree insurance coverage from ten (10) years to eight (8) years due to statutory constraints on terms of service; and

WHEREAS, the Delaware County Commissioners have made changes to the retirees insurance benefits, effective January 1, 2026, including the elimination of spouses and dependents from coverage; and

WHEREAS, it is necessary to rescind Ordinances 2014-040A and 2013-003 and create this Ordinance to define the new parameters for retirees insurance benefits.

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF DELAWARE COUNTY, INDIANA THAT:

1. The Retiree Health Insurance Plan (the Plan) shall be adopted as agreed to by the Delaware County Board of Commissioners and the contract with the Health Insurance Provider. Any rights retirees may have under those benefits controlled by Plan Documents are created solely by the written document, which the Plan Sponsor has adopted, and which retirees may examine upon request. In the event there are any conflicts between the summary and the respective Plan Document, the Plan Document shall control.

2. Application for coverage as a retiree shall be made prior to termination of employment. Employees wishing to participate in the Retiree Insurance program should contact Human Resources to determine eligibility for the employee.

3. Retiree Insurance

    a. Type of Coverage

        i. Eligible Retired Employees not yet Medicare eligible shall be covered under the Self-funded Health Insurance Plans sponsored by Delaware County. Eligible employees will receive Dental and Vision Benefits from the Self-funded Health Insurance Plans sponsored by Delaware County.

b. Eligibility

   i. Retired Employees may continue coverage for themselves provided the Retiree meets the following requirements:

      1. The Employee's age plus years of service shall equal at least seventy (70) years, with a minimum of ten (10) of those years being continuous years of service with Delaware County immediately preceding the date of retirement. For elected officials serving in an office described in Article 6, Section 2, of the Indiana Constitution (clerk of the circuit court, auditor, recorder, treasurer, sheriff, coroner, or surveyor) who are prohibited from serving in that elected office for more than eight (8) years in any twelve (12) year period, the Employee's age plus years of service shall equal at least seventy (70) years, with a minimum of eight (8) of those years being continuous years of service with Delaware County immediately preceding the date of retirement.

      2. The years of service shall be calendar years measured based on the anniversary date of full time (i.e. benefit eligible) employment.

      3. Eligibility for coverage shall be extended to include Delaware County Circuit Court Judges who qualify under the age and years of service requirement as noted in this Ordinance.

      4. Retirees who were eligible for retirement coverage under the previous ordinance(s) will continue retirement benefits, however retirement coverage will fall under the rules and contribution schedules(s) written in this ordinance or future ordinances.

      5. An Employee who is eligible as determined by age and years of service, but who at the time of retirement also is covered as retiree from previous employment (for any employer), shall be *ineligible* for coverage as a retiree of Delaware County.

c. Participation Requirements

   i. The Employee must be covered on the health insurance plan at the time of retirement.

   ii. If a Retiree cancels coverage for himself/herself at any time, the Retiree cannot re-enroll at a later date.

   iii. If an eligible Retiree seeks full-time employment elsewhere and participates in that employer's health insurance plan, the new employer's health insurance shall be primary and Delaware County coverage shall be secondary.

d. Public Safety Employees

   i. Retired public safety employees and public safety employees who are receiving disability benefits under I.C. 36-8-6, I.C. 36-8-7, I.C. 36-8-8, I.C. 36-8-10, and surviving spouses and dependents of public safety employees who die while in active service or after retirement will be provided health insurance coverage.

      1. A surviving spouse or dependent who is eligible

         a. May elect to continue coverage under the group health insurance plan after the death of the public safety employee; and

         b. Must file a written request for insurance within ninety (90) days after the death of the public safety employee; and

         c. Must pay the amount that the public safety employee would have been required to pay.

   ii. A public safety employee who is retired or has a disability and is eligible for insurance coverage:

      1. May elect to have their spouse, dependents, or family covered under the plan at the time they retire or become disabled; and

      2. Must file a written request for insurance within ninety (90) days after retirement or disability benefits are received; and

      3. Must pay an amount equal to the total of the employer's and the employee's premiums for the insurance.

   iii. Eligibility for group health insurance under for public safety employees who retire or have a disability ends on the earlier of:

      1. When the public safety employee becomes eligible for Medicare; or

      2. When the County terminates health insurance for active public safety employees;

   iv. Eligibility for group health insurance for a surviving spouse ends on the earlier of:

1. When the surviving spouse becomes eligible for Medicare;

2. When the County terminates health insurance for active public safety employees;

3. The date the surviving spouse remarries; or

4. When health insurance becomes available to the surviving spouse through employment.

v. Eligibility for group health insurance for a surviving spouse ends on the earlier of:

1. When the dependent becomes eligible for Medicare;

2. When the County terminates health insurance for active public safety employees;

3. When the dependent no longer qualifies as a dependent pursuant to I.C. 5-10-8-2.2(a); or

4. When health insurance becomes available to the dependent through employment.

e. Premium Contributions

i. Retiree coverage shall be contributory. A Retiree shall contribute a portion of the monthly premiums in accordance with the following percentage schedule. Such contributions shall be altered in accordance with defined calculations when the total cost of insurance to Delaware County changes based on policy renewal or applicable changes to the Plan.

ii. Payment shall be made through a direct withdrawal from Retirees bank account on either the 3rd or the 18th of each month and delivered to the Delaware County Human Resource Department. If payment is not received in full by the 18th of the month, insurance benefit shall be cancelled at the end of the month for which payment was due. Payments shall be made by check or money order only payable to the Delaware County Treasurer.

f. Premium Schedule PPO Plan

i. Non-Medicare Eligible Retirees

1. Rates are based on the full current cost to Delaware County for the Health Plan.

a. Retiree Only
    i. 30% of the full current County Plan cost

g. High-Deductible Health Plan Premiums

    i. Retirees switching to or already on the High-Deductible Health Plan will pay the premium rates that are calculated by taking the same County contribution as the County contributes to its portion of the Non-Medicare Eligible Retirees PPO Plan by tier and percentages addressed above. Then subtracting the County costs from the total premium of the High-Deductible Plan. The remaining premium balance is divided by 12 and becomes the premium rate for the High-Deductible Health Plan. This formula is to keep the County's Contribution to both plans the same. This allows a reduced premium by the savings of the HDHP costs to be utilized by the retiree for the High-Deductible Health Plan.

4. If any section, paragraph, or provision of the Ordinance shall be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

5. All ordinances, resolutions, and/or county policy, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby superseded, and this Ordinance shall be in full force and effect from and upon compliance with all procedures required by law.

6. Ordinance 2014-040A and 2013-003 and all previous ordinances inconsistent with this Ordinance are hereby repealed and rescinded.

7. This Ordinance is effective upon adoption.

Dated this ______ day of December, 2025.

BOARD OF COMMISSIONERS OF
DELAWARE COUNTY, INDIANA

____
Shannon Henry, President

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Stephen Brand, Vice President

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Sherry Riggin, Commissioner

ATTEST:

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Edward E. Carroll, Jr.
Delaware County Auditor