

**FIFTH AMENDMENT  
TO THE REGULATIONS GOVERNING  
PAYMENT OF RETIREE HEALTH  
BENEFITS FROM A 401(h) ACCOUNT**

On September 16, 2008, the Board of Supervisors, County of Santa Barbara, State of California ("Board of Supervisors"), passed a resolution adopting California Government Code Sections 31694 and 31694.1, pursuant to California Government Code Section 31694(a). In that same resolution, the Board of Supervisors approved the Regulations Governing Payment of Retiree Health Benefits from a 401(h) Account ("401(h) Regulations").

Pursuant to Section 11.01 of the 401(h) Regulations, the Board of Supervisors has the power to amend the 401(h) Regulations. The 401(h) Regulations were last amended on December 11, 2018, in part to memorialize the benefits available to Disability Retirees.

The Board of Supervisors now wishes to amend the 401(h) Regulations to amend the definition of "Eligible Retired Participant."

The Board of Supervisors also wishes to amend the 401(h) Regulations, with a retroactive effective date, to conform to the Plan's past practice of granting benefits to Disability Retirees.

The 401(h) Regulations are hereby amended as follows:

1. Section 2.01(h) is hereby amended with the effective dates herein listed below to read as follows:

(h) "Eligible Retired Participant" means a retired member of the System who is a retiree (including a terminated vested retiree), of the County designated to receive benefits under the Health Plan. The term also includes the Eligible Retired Participant's Spouse and Dependents. Each Participating Employer other than the County shall determine the definition of Eligible Retired Participant for its retirees (including a terminated vested retiree) designated to receive benefits under the Health Plan.

Notwithstanding anything to the contrary, an individual first hired by the County in a position eligible for System membership on or after the applicable effective dates listed below shall not be an Eligible Retired Participant and their Spouse and Dependents shall not be an Eligible Retired Participant's Spouse or Dependent.

<b>Bargaining Unit</b>	<b>Effective Date of Elimination of Eligibility</b>	<b>Date Memorandum Of Understanding and/or Resolution Approval of Coverage Termination by the Board of Supervisors</b>
Civil Attorneys Association (CAA)	June 25, 2012	November 15, 2011
Deputy District Attorneys Association (DDAA)	June 25, 2012	December 13, 2011
Engineers and Technicians Association (ETA)	June 25, 2012	July 5, 2011
Service Employees International Union (SEIU), Local 620	June 25, 2012	September 6, 2011
Santa Barbara Chapter of the Social Services Union Local 721, SEIU	June 25, 2012	December 4, 2012
Union of American Physicians and Dentists (UAPD)	June 25, 2012	December 6, 2011
Unrepresented Employees and Managers	June 25, 2012	November 15, 2011
Plan 8 general members	January 1, 2013	January 8, 2013
Santa Barbara County Probation Peace Officers Association (PPOA)	May 11, 2015	May 5, 2015
Santa Barbara County Deputy Sheriffs' Association (DSA)	June 20, 2016	June 21, 2016
Santa Barbara County Fire Fighters, Inc., Local 2046	December 19, 2016	December 13, 2016
Santa Barbara County Sheriff's Manager Association (SMA)	January 16, 2017	January 17, 2017
Unrepresented Safety Managers	May 18, 2020	May 19, 2020

Notwithstanding anything to the contrary, an individual first hired by a Participating Employer in a position eligible for System membership on or after the applicable effective dates specified below shall not be an Eligible Retired

Participant and their Spouse and Dependents shall not be an Eligible Retired Participant's Spouse or Dependent.

<b>Special District / Participating Employer</b>	<b>Effective Date of Elimination of Eligibility</b>
Santa Barbara County Air Pollution Control District	August 16, 2012
Santa Barbara County Association of Governments	January 1, 2010
Carpinteria Cemetery District	December 31, 2018
Carpinteria- Summerland Fire Protection District	December 31, 2018
Goleta Cemetery District	December 31, 2018
Santa Barbara County Superior Court	December 31, 2018
Santa Maria Cemetery District	December 31, 2018
Summerland Sanitary District	December 31, 2018

2. Section 7.01(a)(4) is hereby amended to be and read as follows:

Effective September 16, 2008, Disability Retirees shall receive a monthly allowance equal to the greater of \$15.00 times years of credited service or \$187.00.

3. Section 7.01(c) is hereby amended to read as follows:

Effective September 16, 2008, if an Eligible Retired Participant does not participate in a County-sponsored health insurance plan, then the System shall reimburse the Eligible Retired Participant for other Medical Care expenses. Reimbursements shall first be applied to payment of premiums for Medicare benefits, Medicare supplemental plans, and other health insurance plans. Only after all reimbursements for such premiums have been paid shall any other Medical Care expenses be reimbursed. The maximum amount paid under this subsection (c) shall be \$4 per year of credited service by the retiree rather than the \$15 per year of credited service under subsection (a). No payment shall be made under this subsection unless and until sufficient proof of payment for qualifying Medical Care expenses is provided to the System or its designee at the time and in the manner determined by the Plan Administrator. Disability Retirees shall not receive any fixed minimum benefit pursuant to this subsection in excess of \$4 per year of credited service.

Except for the changes described above, the 401(h) Regulations shall remain unchanged.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
CHAIR, BOARD OF SUPERVISORS

MONA MIYASATO  
CLERK OF THE BOARD

By: \_\_\_\_\_ (SEAL)  
Deputy Clerk of the Board

APPROVED AS TO FORM:  
MICHAEL C. GHIZZONI  
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APPROVED AS TO FORM:  
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By: Victoria Parks Tuttle  
Deputy County Counsel

By: Betsy M. Schaffer  
Deputy