

6810--A

Cal. No. 569

I N S E N A T E

March 23, 2012

Introduced by Sen. SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Insurance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the insurance law, in relation to a health savings account pilot program and providing for the repeal of such provisions upon the expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. The insurance law is amended by adding a new section 1124
2 to read as follows:
3 S 1124. HEALTH SAVINGS ACCOUNT PILOT PROJECT. (A) A HEALTH MAINTENANCE
4 ORGANIZATION CERTIFIED PURSUANT TO ARTICLE FORTY-FOUR OF THE PUBLIC
5 HEALTH LAW MAY OFFER A GROUP HIGH DEDUCTIBLE HEALTH PLAN, AS DEFINED IN
6 PARAGRAPH TWO OF SUBSECTION C OF SECTION TWO HUNDRED TWENTY-THREE OF THE
7 INTERNAL REVENUE CODE IN CONJUNCTION WITH A HEALTH REIMBURSEMENT ACCOUNT
8 OR A HEALTH SAVINGS ACCOUNT ESTABLISHED PURSUANT TO FEDERAL TAX LAW,
9 WHEN:
10 (1) THE EMPLOYER GROUP PURCHASING THE HIGH DEDUCTIBLE PLAN IS A MUNI-
11 CIPALITY, AND
12 (2) THE EMPLOYER IS OBLIGATED TO CONTRIBUTE, PURSUANT TO A COLLECTIVE
13 BARGAINING AGREEMENT OR OTHER BINDING ARRANGEMENT WITH ITS EMPLOYEES, AN
14 AMOUNT AT LEAST EQUAL TO THE DEDUCTIBLE REQUIRED UNDER THE PLAN ON
15 BEHALF OF EACH ENROLLED EMPLOYEE.
16 (B) A HIGH DEDUCTIBLE HEALTH PLAN OFFERED PURSUANT TO SUBSECTION (A)
17 OF THIS SECTION, WHICH OTHERWISE MEETS THE REQUIREMENTS OF ARTICLE
18 FORTY-FOUR OF THE PUBLIC HEALTH LAW, SHALL BE DEEMED TO PROVIDE COMPRE-
19 HENSIVE HEALTH SERVICES AND SHALL NOT BE DISAPPROVED DUE TO ITS COST
20 SHARE ARRANGEMENT.
21 (C) A MUNICIPALITY FOR PURPOSES OF THIS SECTION MEANS A CITY, COUNTY,
22 TOWN, VILLAGE, BOARD OF COOPERATIVE EDUCATIONAL SERVICES, A SCHOOL
23 DISTRICT, OR A DISTRICT, AS DEFINED IN SECTION ONE HUNDRED NINETEEN-N OF
24 THE GENERAL MUNICIPAL LAW.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 (D) HEALTH MAINTENANCE ORGANIZATIONS OFFERING HIGH DEDUCTIBLE HEALTH
2 PLANS PURSUANT TO THIS SECTION SHALL REPORT TO THE SUPERINTENDENT AND
3 COMMISSIONER OF HEALTH THE NUMBER OF GROUPS AND COVERED LIVES UNDER HIGH
4 DEDUCTIBLE HEALTH PLANS OFFERED PURSUANT TO THIS SECTION COMPARED TO
5 NON-HIGH DEDUCTIBLE HEALTH PLANS, THE PREMIUMS OF HIGH DEDUCTIBLE HEALTH
6 PLANS OFFERED PURSUANT TO THIS SECTION COMPARED TO NON-HIGH DEDUCTIBLE
7 HEALTH PLANS, THE CLAIMS EXPERIENCE UNDER HIGH DEDUCTIBLE HEALTH PLANS
8 OFFERED PURSUANT TO THIS SECTION COMPARED TO NON-HIGH DEDUCTIBLE HEALTH
9 PLANS, AND ANY OTHER PERTINENT INFORMATION THAT MAY BE REQUIRED BY THE
10 SUPERINTENDENT OR THE COMMISSIONER OF HEALTH PRIOR TO APRIL FIRST, TWO
11 THOUSAND FOURTEEN.

12 S 2. This act shall take effect immediately and shall expire December
13 31, 2015 when upon such date the provisions of this act shall be deemed
14 repealed.