STATE OF NEW YORK

959--A

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

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Introduced by Sens. JACKSON, ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil service law, in relation to establishing the disability benefits maximization and assistance program to assist eligible state retirees in obtaining certain disability benefits

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The civil service law is amended by adding a new article 15 to read as follows:

ARTICLE XV

DISABILITY BENEFITS MAXIMIZATION AND ASSISTANCE PROGRAM

Section 300. Definitions.

301. Purpose.

302. Establishment of the disability benefits maximization and assistance program.

303. Investment of savings.

§ 300. Definitions. As used in this article, the following terms shall have the following meanings:

1. "Eligible individual" means an individual retired from state service eligible for benefits pursuant to article eleven of this chapter.

2. "Program" means the disability benefits maximization and assistance program established pursuant to the provisions of this article.

§ 301. Purpose. Persons who are under age sixty-five and disabled are frequently eligible for, but not receiving social security disability insurance and disability benefits. The disability benefits maximization and assistance program is designed to ensure that eligible retirees are able to access all benefits available to them. The benefits accrue not

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

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just to the retiree, but to the state in ensuring that Medicare serves as the primary payer for eligible persons.

§ 302. Establishment of the disability benefits maximization and assistance program. 1. The commissioner shall establish within the department a disability benefits maximization and assistance program which shall be designed to identify state retirees eligible for but not receiving social security disability insurance and Medicare coverage.

2. Elements of the program shall include:

(a) conducting an ongoing claims analysis of retirees for the purpose of identifying individuals who may be eligible for social security disability insurance benefits and are not yet receiving them;

(b) assisting any individual whose claims history and social security eligibility qualify such individual to apply for and be awarded social security disability. Such assistance shall include the following:

(i) developing communication materials to educate state retirees about social security disability insurance benefits;

(ii) performing outreach to populations targeted by claims analysis;

(iii) analyzing responses to determine social security disability insurance benefit eligibility;

(iv) representing qualified individuals with their claim or claims to qualify for social security disability insurance benefits enrollment;

(v) monitoring the program through reporting requirements and other means to ensure contract performance and quality delivery of services; and

(vi) monitoring the quality of services delivered to participants through outcome measurements.

3. Under no circumstances shall an individual eligible for this program experience any adverse change in health benefits or other benefits as a result of participating in this program. No individual shall be required to transfer to Medicare as a result of participating in this program.

4. The commissioner shall provide the department and the legislature with an annual report showing the number of state retirees who have transitioned to social security disability insurance and Medicare and the amount of savings realized by the program.

§ 303. Investment of savings. The state shall invest any net savings realized from the program back into the New York state health insurance program for the purpose of eliminating or limiting the impact of any premium rate or other cost increases that would be the responsibility of an employee or retiree.

§ 2. This act shall take effect April 1, 2025; provided, however, if this act shall have become a law after such date it shall take effect immediately and shall be deemed to have been in full force and effect on and after such date.