S T A T E O F N E W Y O R K

704

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. JEFFRIES -- read once and referred to the Committee on Insurance

AN ACT to amend the insurance law, in relation to the eligibility of small employers and individuals for participation in the program for standardized health insurance contracts

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

Section 1. Item (ii) of subparagraph (A) of paragraph 1 of subsection (c) of section 4326 of the insurance law, as amended by chapter 419 of the laws of 2000, is amended to read as follows:

(ii) resides in [a household] THE COUNTIES OF BRONX, DUTCHESS, KINGS, NASSAU, NEW YORK, ORANGE, PUTNAM, QUEENS, RICHMOND, ROCKLAND, SUFFOLK, OR WESTCHESTER IN A HOUSEHOLD HAVING A GROSS HOUSEHOLD INCOME AT OR BELOW THREE HUNDRED PERCENT OF THE NON-FARM FEDERAL POVERTY LEVEL (AS DEFINED AND UPDATED BY THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES), OR RESIDES ELSEWHERE IN THE STATE IN A HOUSEHOLD having a [net] GROSS household income at or below two hundred [eight] FIFTY percent of the non-farm federal poverty level (as defined and updated by the federal department of health and human services) [or the gross equivalent of such net income];

S 2. Subparagraph (B) of paragraph 1 of subsection (c) of section 4326 of the insurance law, as added by chapter 1 of the laws of 1999, is amended to read as follows:

(B) An employer [with]:

(i) WITH not more than fifty eligible employees;

(ii) WITH no group health insurance which provides benefits on an expense reimbursed or prepaid basis covering employees in effect during the twelve month period prior to application for a qualifying group health insurance contract under the program established by this section; and

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

LBD00034-01-9

(iii) FOR AN EMPLOYER LOCATED IN THE COUNTIES OF BRONX, DUTCHESS, KINGS, NASSAU, NEW YORK, ORANGE, PUTNAM, QUEENS, RICHMOND, ROCKLAND, SUFFOLK, OR WESTCHESTER, at least thirty percent of its eligible employees receiving annual wages from the employer at a level equal to or less than [thirty] FORTY-TWO thousand dollars, OR FOR AN EMPLOYER LOCATED ELSEWHERE IN THE STATE, AT LEAST THIRTY PERCENT OF ELIGIBLE EMPLOYEES RECEIVING ANNUAL WAGES FROM THE EMPLOYER AT A LEVEL EQUAL TO OR LESS THAN THIRTY-FIVE THOUSAND DOLLARS. The [thirty thousand] dollar figure UTILIZED IN THIS CLAUSE shall be adjusted periodically pursuant to subparagraph (F) of this paragraph.

S 3. Subparagraph (F) of paragraph l of subsection (c) of section 4326 of the insurance law, as added by chapter 1 of the laws of 1999, is amended to read as follows:

(F) The wage levels utilized in subparagraph (B) of this paragraph shall be adjusted annually, beginning in two thousand [two] TEN. The adjustment shall take effect on July first of each year. For July first, two thousand [two] TEN, the adjustment shall be a percentage of the annual wage [figure] FIGURES specified in subparagraph (B) of this paragraph. For subsequent years, the adjustment shall be a percentage of the annual wage [figure] FIGURES which took effect on July first of the prior year. The percentage adjustment shall be the same percentage by which the current year's non-farm federal poverty level, as defined and updated by the federal department of health and human services, for a family unit of four persons for the forty-eight contiguous states and Washington, D.C., changed from the same level established for the prior year.

S 4. Item (iii) of subparagraph (A) of paragraph 3 of subsection (c) of section 4326 of the insurance law, as added by chapter 1 of the laws of 1999, is amended to read as follows:

(iii) resides in [a household] THE COUNTIES OF BRONX, DUTCHESS, KINGS, NASSAU, NEW YORK, ORANGE, PUTNAM, QUEENS, RICHMOND, ROCKLAND, SUFFOLK, OR WESTCHESTER IN A HOUSEHOLD HAVING A GROSS HOUSEHOLD INCOME AT OR BELOW THREE HUNDRED PERCENT OF THE NON-FARM FEDERAL POVERTY LEVEL (AS DEFINED AND UPDATED BY THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES), OR RESIDES ELSEWHERE IN THE STATE IN A HOUSEHOLD having a [net] GROSS household income at or below two hundred [eight] FIFTY percent of the non-farm federal poverty level (as defined and updated by the federal department of health and human services) [or the gross equivalent of such net income]; and

S 5. This act shall take effect on the ninetieth day after it shall have become a law.