

6791

I N   S E N A T E

March 22, 2012

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Introduced by Sen. FARLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to providing notice of health insurance contracts for retired officers, employees, and their families

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

1     Section 1. Subdivision 2 of section 92-a of the general municipal law,  
2     as amended by chapter 805 of the laws of 1984 and as further amended by  
3     section 104 of part A of chapter 62 of the laws of 2011, is amended and  
4     a new subdivision 2-a is added to read as follows:  
5     2. [A] CONSISTENT WITH THE PROVISIONS OF SUBDIVISION TWO-A OF THIS  
6     SECTION, A public corporation may contract with a non-profit membership  
7     corporation, organized under article forty-three of the insurance law  
8     and approved by the superintendent of financial services and the state  
9     board of social welfare, or with any insurance company authorized to do  
10    business in this state for the purpose of furnishing medical and surgi-  
11    cal services and hospital service as defined in such article forty-  
12    three, or medical and surgical and hospital insurance to persons who  
13    contract with such non-profit membership corporation or insurance compa-  
14    ny, or who subscribe to a plan or plans, as hereinafter provided. Any  
15    such contract entered into by a public corporation shall permit any  
16    officer or employee or group of officers or employees of an agency or  
17    department of the public corporation voluntarily to subscribe to a plan  
18    or plans providing for medical and surgical and hospital insurance for,  
19    or medical and surgical services and hospital service to, such officers  
20    or employees and their families. Any such contract entered into by a  
21    public corporation may, if authorized by the governing board or body and  
22    subject to such conditions, limitations and eligibility requirements as  
23    may be fixed by such board or body, permit any retired officers and  
24    employees or group of retired officers and employees of an agency or  
25    department of the public corporation voluntarily to subscribe to such a  
26    plan or plans to provide such insurance for or service to themselves and  
27    their families. The comptroller or other disbursing officer of the

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

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1 public corporation, or of any fund out of which officers or employees of  
2 such public corporation are paid, is authorized to deduct from the wages  
3 or salary of such contracting or subscribing officer or employee, with  
4 his prior consent, in writing, the sums required to be paid by such  
5 officer or employee to such non-profit membership corporation or insur-  
6 ance company. Such public corporation, if such contract or plan provides  
7 that the employer shall contribute a share of the cost of such medical  
8 and surgical services and hospital service, or medical and surgical and  
9 hospital insurance, for its officers and employees or retired officers  
10 and employees, is authorized to appropriate a sum required to be paid  
11 under such contract by the public corporation as employer. The sum to be  
12 paid by it under such contract, in the discretion of such public corpo-  
13 ration, may be any percentage of the total cost including the whole  
14 thereof. Where the compensation of any officer or employee whose posi-  
15 tion is covered by medical and surgical services and hospital service or  
16 medical and surgical and hospital insurance pursuant to this section is  
17 paid from a special or administrative fund provided for by law, the  
18 contributions required to be paid by the public corporation for such  
19 coverage shall be paid from such special or administrative fund. The  
20 public corporation shall be authorized to pay directly to such non-pro-  
21 fit membership corporation or to such insurance company, the total of  
22 such appropriation and of such officer and employee deductions.

23 2-A. PRIOR TO EXECUTING OR AMENDING A CONTRACT OR PLAN THAT PROVIDES  
24 HEALTH INSURANCE TO RETIRED OFFICERS, EMPLOYEES, OR THEIR FAMILIES  
25 PURSUANT TO SUBDIVISION TWO OF THIS SECTION, A PUBLIC CORPORATION SHALL  
26 GIVE NINETY DAYS NOTICE OF SUCH PROPOSED CONTRACT TO THE RETIRED OFFI-  
27 CERS, EMPLOYEES, OR THEIR FAMILY MEMBERS WHO ARE COVERED UNDER SUCH  
28 CONTRACT. THE PUBLIC CORPORATION SHALL STATE IN THE NOTICE: (A) THE  
29 GENERAL TERMS OF THE PROPOSED CONTRACT OR AMENDMENT; (B) THE LOCATION  
30 WHERE THE COVERED RETIRED OFFICERS, EMPLOYEES, OR THEIR FAMILY MEMBERS  
31 CAN OBTAIN THE FULL TEXT OF SUCH PROPOSED CONTRACT OR PLAN AND ANY  
32 CHANGES THERETO; AND (C) ANY RELEVANT FINANCIAL INFORMATION INCLUDING,  
33 BUT NOT LIMITED TO, THE COST OF THE PROPOSED CONTRACT TO THE PUBLIC  
34 CORPORATION AND THE COST TO THE RETIRED OFFICERS, EMPLOYEES, OR THEIR  
35 FAMILIES. THE NOTICE SHALL BE FORWARDED TO THE COVERED RETIRED OFFICERS,  
36 EMPLOYEES, OR THEIR FAMILIES, AND SHALL ALSO BE POSTED IN A PUBLIC PLACE  
37 AT THE OFFICES OF SUCH PUBLIC CORPORATION, ON ANY WEBSITE PUBLISHED OR  
38 MAINTAINED BY THE PUBLIC CORPORATION, AND IN ANY OTHER PLACE LOCATED  
39 WITHIN THE JURISDICTION OF SUCH PUBLIC CORPORATION WHERE PUBLIC NOTICES  
40 ARE GENERALLY PUBLISHED.

41 S 2. This act shall take effect immediately and shall apply to any  
42 health insurance contract or plan entered into, renewed, modified, or  
43 amended on or after such effective date.