

7872

2011-2012 Regular Sessions

I N A S S E M B L Y

May 19, 2011

Introduced by M. of A. ABINANTI -- read once and referred to the Committee on Governmental Employees

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, is amended and a new
3 subdivision 2-a is added to read as follows:
4 2. [A] CONSISTENT WITH THE PROVISIONS OF SUBDIVISION TWO-A OF THIS
5 SECTION, A public corporation may contract with a non-profit membership
6 corporation, organized under article forty-three of the insurance law
7 and approved by the superintendent of insurance and the state board of
8 social welfare, or with any insurance company authorized to do business
9 in this state for the purpose of furnishing medical and surgical
10 services and hospital service as defined in such article forty-three, or
11 medical and surgical and hospital insurance to persons who contract with
12 such non-profit membership corporation or insurance company, or who
13 subscribe to a plan or plans, as hereinafter provided. Any such contract
14 entered into by a public corporation shall permit any officer or employ-
15 ee or group of officers or employees of an agency or department of the
16 public corporation voluntarily to subscribe to a plan or plans providing
17 for medical and surgical and hospital insurance for, or medical and
18 surgical services and hospital service to, such officers or employees
19 and their families. Any such contract entered into by a public corpo-
20 ration may, if authorized by the governing board or body and subject to
21 such conditions, limitations and eligibility requirements as may be
22 fixed by such board or body, permit any retired officers and employees
23 or group of retired officers and employees of an agency or department of
24 the public corporation voluntarily to subscribe to such a plan or plans

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

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

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

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