

1227

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. ABINANTI, GUNTHER, ROBERTS, GIBSON, PAULIN, STEVENSON, BRINDISI, GALEF -- Multi-Sponsored by -- M. of A. GABRYSZAK, MONTESANO, TITONE -- 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 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

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

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

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

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