

2448--A

Cal. No. 907

2015-2016 Regular Sessions

I N   S E N A T E

January 23, 2015

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Introduced by Sens. FARLEY, AKSHAR, LARKIN, MARCHIONE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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

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

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

34 2-A. NINETY DAYS PRIOR TO THE GOVERNING BOARD OF A PUBLIC CORPORATION  
35 AUTHORIZING OR APPROVING A CONTRACT OR PLAN OF HEALTH INSURANCE, OR AN  
36 AMENDMENT THERETO, FOR RETIRED OFFICERS, RETIRED EMPLOYEES, OR THEIR  
37 FAMILIES PURSUANT TO SUBDIVISION TWO OF THIS SECTION, THE PUBLIC CORPO-  
38 RATION SHALL GIVE WRITTEN NOTICE OF SUCH PROPOSED CONTRACT, PLAN OR  
39 AMENDMENT, TO THE RETIRED OFFICERS, RETIRED EMPLOYEES, OR THEIR FAMILIES  
40 WHO ARE COVERED UNDER SUCH CONTRACT OR PLAN. WHERE THE CONTRACT, PLAN OR  
41 AMENDMENT IS CONTRACTED FOR AS PART OF NEGOTIATIONS BETWEEN A PUBLIC  
42 CORPORATION AND A RECOGNIZED AND CERTIFIED EMPLOYEE ORGANIZATION PURSU-  
43 ANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW, SUCH WRITTEN NOTICE  
44 SHALL BE GIVEN AT THE TIME SUCH HEALTH INSURANCE CONTRACT IS BINDING ON  
45 THE COVERED RETIRED OFFICERS, RETIRED EMPLOYEES, OR THEIR FAMILIES. SUCH  
46 WRITTEN NOTICE SHALL CONTAIN EITHER: (A) THE FULL TEXT OF SUCH PROPOSED  
47 CONTRACT, PLAN OR AMENDMENT AND ANY RELEVANT FINANCIAL INFORMATION  
48 INCLUDING, BUT NOT LIMITED TO THE COST OF THE PROPOSED CONTRACT, PLAN OR  
49 AMENDMENT TO THE PUBLIC CORPORATION AND THE COST TO THE COVERED RETIRED  
50 OFFICERS, RETIRED EMPLOYEES, OR THEIR FAMILIES; OR (B) THE GENERAL TERMS  
51 OF THE PROPOSED CONTRACT, PLAN OR AMENDMENT ALONG WITH THE PHYSICAL  
52 LOCATION AND WEB ADDRESS TO A SECURE WEBSITE WHERE THE COVERED RETIRED  
53 OFFICERS, RETIRED EMPLOYEES OR THEIR FAMILY MEMBERS CAN OBTAIN THE FULL  
54 TEXT OF SUCH PROPOSED CONTRACT, PLAN OR AMENDMENT AND ANY RELEVANT  
55 FINANCIAL INFORMATION INCLUDING, BUT NOT LIMITED TO THE COST OF THE  
56 PROPOSED CONTRACT, PLAN OR AMENDMENT TO THE PUBLIC CORPORATION AND THE

1 COST TO THE COVERED RETIRED OFFICERS, RETIRED EMPLOYEES, OR THEIR FAMI-  
2 LIES.  
3 S 2. This act shall take effect immediately and shall apply to any  
4 health insurance contract or plan entered into, renewed, modified, or  
5 amended on or after such effective date.