

# STATE OF NEW YORK

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4099

2021-2022 Regular Sessions

## IN ASSEMBLY

February 1, 2021

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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 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

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

26 2-a. Forty-five days prior to the governing board of a public corpo-  
27 ration authorizing or approving a contract or plan of health insurance,  
28 or an amendment thereto, for retired officers, retired employees, or  
29 their families pursuant to subdivision two of this section, the public  
30 corporation shall give written notice of such proposed contract, plan or  
31 amendment, to the retired officers, retired employees, or their families  
32 who are covered under such contract or plan. Where the contract, plan or  
33 amendment is contracted for as part of negotiations between a public  
34 corporation and a recognized and certified employee organization pursu-  
35 ant to article fourteen of the civil service law, such written notice  
36 shall be given at the time such health insurance contract is binding on  
37 the covered retired officers, retired employees, or their families. Such  
38 written notice shall contain either: (a) the full text of such proposed  
39 contract, plan or amendment and any relevant financial information  
40 including, but not limited to the cost of the proposed contract, plan or  
41 amendment to the public corporation and the cost to the covered retired  
42 officers, retired employees, or their families; or (b) the general terms  
43 of the proposed contract, plan or amendment along with the physical  
44 location and web address to a secure website where the covered retired  
45 officers, retired employees or their family members can obtain the full  
46 text of such proposed contract, plan or amendment and any relevant  
47 financial information including, but not limited to the cost of the  
48 proposed contract, plan or amendment to the public corporation and the  
49 cost to the covered retired officers, retired employees, or their fami-  
50 lies.

51 § 2. This act shall take effect immediately and shall apply to any  
52 health insurance contract or plan entered into, renewed, modified, or  
53 amended on or after such effective date.