STATE OF NEW YORK

6806

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

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

AN ACT to amend the civil service law, in relation to continuation of state health benefit plans for certain survivors of employees of the state and/or of a political subdivision or of a public authority

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The opening paragraph of section 165-a of the civil service law, as amended by section 6 of part T of chapter 56 of the laws of 2010, is amended to read as follows:

Notwithstanding any other provision of law to the contrary, the president shall permit the unremarried spouse and the dependents, otherwise qualified as eligible for coverage under regulations of the president, of a person who was an employee of the state and/or of a political subdivision thereof or of a public authority for not less than ten years, provided however, that the ten-year service requirement shall not apply to such employees on active military duty in connection with the Persian Gulf conflict who die on or after August second, nineteen hundred ninety while in the Persian Gulf combat zone or while performing such military duties, **or the unremarried spouse and the dependents, otherwise qualified as eligible for coverage under regulations of the president, to any employee of the state and/or of a political subdivision thereof or of a public authority who retires with less than ten years of service with an accidental disability retirement benefit or a performance of duty disability pension,** who had been a participant in any of the state health benefit plans, to continue under the coverage which such deceased employee had in effect at the time of death, upon the payment at intervals determined by the president of the full cost of such coverage, provided, however, that the unremarried spouse of an active employee of the State who died on or after April first nineteen hundred seventy-five and before April first nineteen hundred seventy-

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

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nine who timely elected to continue dependent coverage, or such unremarried spouse who timely elected individual coverage shall continue to pay at intervals determined by the president one-quarter of the full cost of dependent coverage and provided further, that, with regard to employees of the State, where and to the extent that an agreement pursuant to article fourteen of this chapter so provides, or where the director of employee relations, with respect to employees of the State who are not included within a negotiating unit so recognized or certified pursuant to article fourteen of this chapter whom the director of employee relations determines should be declared eligible for the continuation of health benefit plans for the survivors of such employees of the State, the president shall adopt regulations providing for the continuation of such health benefit or benefits by the unremarried spouse of an active employee of the State who died on or after April first nineteen hundred seventy-nine who elects to continue dependent coverage, or such unremarried spouse who elects individual coverage, and upon such election shall pay at intervals determined by the president one-quarter of the full cost of dependent coverage and, provided further with respect to enrolled employees of a political subdivision or public authority in a negotiating unit recognized or certified pursuant to article fourteen of this chapter, where an agreement negotiated pursuant to said article so provides, and with respect to enrolled employees of a political subdivision or public authority not included within a negotiating unit so recognized or certified, at the discretion of the appropriate political subdivision or public authority, the unremarried spouse of an active employee of the political subdivision or of the public authority who died on or after April first nineteen hundred seventy-five, may elect to continue dependent coverage or such unremarried spouse may elect individual coverage and upon such election shall pay at intervals determined by the president one-quarter of the full cost of dependent coverage.

§ 2. This act shall take effect immediately.