

# 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 Assem-  
bly, do enact as follows:

1 Section 1. The opening paragraph of section 165-a of the civil service  
2 law, as amended by section 6 of part T of chapter 56 of the laws of  
3 2010, is amended to read as follows:

4 Notwithstanding any other provision of law to the contrary, the presi-  
5 dent shall permit the unremarried spouse and the dependents, otherwise  
6 qualified as eligible for coverage under regulations of the president,  
7 of a person who was an employee of the state and/or of a political  
8 subdivision thereof or of a public authority for not less than ten  
9 years, provided however, that the ten-year service requirement shall not  
10 apply to such employees on active military duty in connection with the  
11 Persian Gulf conflict who die on or after August second, nineteen  
12 hundred ninety while in the Persian Gulf combat zone or while performing  
13 such military duties, or the unremarried spouse and the dependents,  
14 otherwise qualified as eligible for coverage under regulations of the  
15 president, to any employee of the state and/or of a political subdivi-  
16 sion thereof or of a public authority who retires with less than ten  
17 years of service with an accidental disability retirement benefit or a  
18 performance of duty disability pension, who had been a participant in  
19 any of the state health benefit plans, to continue under the coverage  
20 which such deceased employee had in effect at the time of death, upon  
21 the payment at intervals determined by the president of the full cost of  
22 such coverage, provided, however, that the unremarried spouse of an  
23 active employee of the State who died on or after April first nineteen  
24 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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1 nine who timely elected to continue dependent coverage, or such unremar-  
2 ried spouse who timely elected individual coverage shall continue to pay  
3 at intervals determined by the president one-quarter of the full cost of  
4 dependent coverage and provided further, that, with regard to employees  
5 of the State, where and to the extent that an agreement pursuant to  
6 article fourteen of this chapter so provides, or where the director of  
7 employee relations, with respect to employees of the State who are not  
8 included within a negotiating unit so recognized or certified pursuant  
9 to article fourteen of this chapter whom the director of employee  
10 relations determines should be declared eligible for the continuation of  
11 health benefit plans for the survivors of such employees of the State,  
12 the president shall adopt regulations providing for the continuation of  
13 such health benefit or benefits by the unremarried spouse of an active  
14 employee of the State who died on or after April first nineteen hundred  
15 seventy-nine who elects to continue dependent coverage, or such unremar-  
16 ried spouse who elects individual coverage, and upon such election shall  
17 pay at intervals determined by the president one-quarter of the full  
18 cost of dependent coverage and, provided further with respect to  
19 enrolled employees of a political subdivision or public authority in a  
20 negotiating unit recognized or certified pursuant to article fourteen of  
21 this chapter, where an agreement negotiated pursuant to said article so  
22 provides, and with respect to enrolled employees of a political subdivi-  
23 sion or public authority not included within a negotiating unit so  
24 recognized or certified, at the discretion of the appropriate political  
25 subdivision or public authority, the unremarried spouse of an active  
26 employee of the political subdivision or of the public authority who  
27 died on or after April first nineteen hundred seventy-five, may elect to  
28 continue dependent coverage or such unremarried spouse may elect indi-  
29 vidual coverage and upon such election shall pay at intervals determined  
30 by the president one-quarter of the full cost of dependent coverage.  
31 § 2. This act shall take effect immediately.