

STATE OF NEW YORK

7866--A

2023-2024 Regular Sessions

IN ASSEMBLY

July 7, 2023

Introduced by M. of A. ZEBROWSKI, GUNTHER, BURDICK, LAVINE, EPSTEIN, SHIMSKY, THIELE, NOVAKHOV, SIMONE, CARROLL, COLTON, SEAWRIGHT, DeSTEFANO, LEVENBERG, REYES, SIMON, BENEDETTO, HEVESI, JACOBSON, SILLITTI, WILLIAMS, DURSO, MAHER, BRABENEC, PIROZZOLO, RA, LUPARDO, McDONOUGH, MCGOWAN, STERN, DICKENS, STECK, EACHUS, RIVERA, SHRESTHA, O'DONNELL, BURKE, SLATER, GALLAGHER, KELLES, BENDETT, MIKULIN, RAMOS, VANEL, MAMDANI, ARDILA, BROOK-KRASNY -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to protecting the health insurance benefits of retirees of public employers and contributions of retirees of public employers

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

- 1 Section 1. This act shall be known as the "Health Equity for Retirees
2 Act" or "(HERA)".
3 § 2. 1. On and after the effective date of this act, a public employer
4 shall not diminish the health insurance benefits provided to retirees
5 and their dependents or the contributions such employer makes for such
6 health insurance coverage below the level of such benefits or contribu-
7 tions made on behalf of such retirees and their dependents by such
8 public employer as of November 1, 2022.
9 2. For the purposes of this act:
10 (a) "diminish" shall mean any change in health care offered that could
11 potentially make it harder for retirees residing anywhere within the
12 United States, including its territories and possessions, to access
13 their health care than before such change was made. These changes shall
14 include, but are not limited to, increasing the cost of such health
15 care, forcing retirees into Medicare Advantage Plans, forcing them to

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

LBD11812-03-4

1 use health care providers only from pre-designated panels, or forcing
2 them to wait for pre-authorization for medical procedures that are
3 recommended by their health care providers;

4 (b) "public employer" shall mean the following: (i) the state or a
5 civil division thereof; (ii) a county, city, town or village; (iii) a
6 school district, board of cooperative educational services, vocational
7 education and extension board or a school district as enumerated in
8 section 1 of chapter 566 of the laws of 1967, as amended; (iv) any
9 governmental entity operating a college or university; (v) a public
10 improvement or special district including police or fire districts; (vi)
11 a public authority, commission or public benefit corporation; or (vii)
12 any other public corporation, agency, instrumentality or unit of govern-
13 ment which exercises governmental power under the laws of this state;
14 and

15 (c) "retiree" shall mean a retiree of a public employer.

16 § 3. This act shall take effect immediately and shall be deemed to
17 have been in full force and effect on and after November 1, 2022.