

STATE OF NEW YORK

4990

2025-2026 Regular Sessions

IN ASSEMBLY

February 10, 2025

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 establishing the disability benefits maximization and assistance program to assist eligible state retirees in obtaining certain disability benefits

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

1 Section 1. The civil service law is amended by adding a new article 15
2 to read as follows:

ARTICLE XV

DISABILITY BENEFITS MAXIMIZATION AND ASSISTANCE PROGRAM

Section 300. Definitions.

301. Purpose.

302. Establishment of the disability benefits maximization and assistance program.

303. Investment of savings.

10 § 300. Definitions. As used in this article, the following terms shall
11 have the following meanings:

12 1. "Eligible individual" means an individual retired from state
13 service eligible for benefits pursuant to article eleven of this chap-
14 ter.

15 2. "Program" means the disability benefits maximization and assistance
16 program established pursuant to the provisions of this article.

17 § 301. Purpose. Persons who are under age sixty-five and disabled are
18 frequently eligible for, but not receiving social security disability
19 insurance and disability benefits. The disability benefits maximization
20 and assistance program is designed to ensure that eligible retirees are
21 able to access all benefits available to them. The benefits accrue not
22 just to the retiree, but to the state in ensuring that Medicare serves
23 as the primary payer for eligible persons.

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

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1 § 302. Establishment of the disability benefits maximization and
2 assistance program. 1. The commissioner shall establish within the
3 department a disability benefits maximization and assistance program
4 which shall be designed to identify state retirees eligible for but not
5 receiving social security disability insurance and Medicare coverage.

6 2. Elements of the program shall include:

7 (a) conducting an ongoing claims analysis of retirees for the purpose
8 of identifying individuals who may be eligible for social security disa-
9 bility insurance benefits and are not yet receiving them;

10 (b) assisting any individual whose claims history and social security
11 eligibility qualify such individual to apply for and be awarded social
12 security disability. Such assistance shall include the following:

13 (i) developing communication materials to educate state retirees about
14 social security disability insurance benefits;

15 (ii) performing outreach to populations targeted by claims analysis;

16 (iii) analyzing responses to determine social security disability
17 insurance benefit eligibility;

18 (iv) representing qualified individuals with their claim or claims to
19 qualify for social security disability insurance benefits enrollment;

20 (v) monitoring the program through reporting requirements and other
21 means to ensure contract performance and quality delivery of services;
22 and

23 (vi) monitoring the quality of services delivered to participants
24 through outcome measurements.

25 3. Under no circumstances shall an individual eligible for this
26 program experience any adverse change in health benefits or other bene-
27 fits as a result of participating in this program. No individual shall
28 be required to transfer to Medicare as a result of participating in this
29 program.

30 4. The commissioner shall provide the department and the legislature
31 with an annual report showing the number of state retirees who have
32 transitioned to social security disability insurance and Medicare and
33 the amount of savings realized by the program.

34 § 303. Investment of savings. The state shall invest any net savings
35 realized from the program back into the New York state health insurance
36 program for the purpose of eliminating or limiting the impact of any
37 premium rate or other cost increases that would be the responsibility of
38 an employee or retiree.

39 § 2. This act shall take effect April 1, 2025; provided, however, if
40 this act shall have become a law after such date it shall take effect
41 immediately and shall be deemed to have been in full force and effect on
42 and after such date.