Legislation Details (With Text)

File #:	Int 1785-2019 **Version:** *	**Name:**	Health insurance coverage for the surviving family members of certain deceased employees of NYC.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Civil Service and Labor
On agenda:	10/30/2019		
Enactment date:	2/11/2020	**Enactment #:**	2020/032

Title: A Local Law to amend the administrative code of the city of New York, in relation to health insurance coverage for the surviving family members of certain deceased employees of the city of New York

Sponsors: I. Daneek Miller, Ben Kallos, Kalman Yeger, Diana I. Ayala, Farah N. Louis, Inez D. Barron, Carlina Rivera, (by request of the Mayor)

Indexes:

Attachments: 1. Summary of Int. No. 1785, 2. Int. No. 1785, 3. October 30, 2019 - Stated Meeting Agenda with Links to Files, 4. Hearing Transcript - Stated Meeting 10-30-19, 5. Minutes of the Stated Meeting - October 30, 2019, 6. Committee Report 12/17/19, 7. Hearing Testimony 12/17/19, 8. Hearing Transcript 12/17/19, 9. Committee Report 1/21/20, 10. Hearing Transcript 1/21/20, 11. Committee Report - Stated Meeting, 12. January 23, 2020 - Stated Meeting Agenda with Links to Files, 13. Hearing Transcript - Stated Meeting 1-23-20, 14. Minutes of the Stated Meeting - January 23, 2020, 15. Int. No. 1785 (FINAL), 16. Fiscal Impact Statement, 17. Mayor's Letter, 18. Local Law 32

Date	Ver.	Action By	Action	Result
10/30/2019	*	City Council	Introduced by Council	
10/30/2019	*	City Council	Referred to Comm by Council	
12/17/2019	*	Committee on Civil Service and Labor	Hearing Held by Committee	
12/17/2019	*	Committee on Civil Service and Labor	Laid Over by Committee	
12/17/2019	*	Committee on Women and Gender Equity	Hearing Held by Committee	
12/17/2019	*	Committee on Women and Gender Equity	Laid Over by Committee	
1/21/2020	*	Committee on Civil Service and Labor	Approved by Committee	Pass
1/21/2020	*	Committee on Civil Service and Labor	Hearing Held by Committee	
1/23/2020	*	City Council	Approved by Council	Pass
1/23/2020	*	City Council	Sent to Mayor by Council	
2/11/2020	*	Mayor	Hearing Held by Mayor	
2/11/2020	*	Mayor	Signed Into Law by Mayor	
2/12/2020	*	City Council	Recved from Mayor by Council	

Int. No. 1785

By Council Members Miller, Kallos, Yeger, Ayala, Louis, Barron and Rivera (by request of the Mayor)

A Local Law to amend the administrative code of the city of New York, in relation to health insurance coverage

for the surviving family members of certain deceased employees of the city of New York

Be it enacted by the Council as follows:

Section 1. The heading and subparagraph (i) of paragraph (2) of subdivision b of section 12-126 of the administrative code of the city of New York, the heading as amended by local law number 22 for the year 2007 and subparagraph (i) as amended by local law number 122 for the year 2018, are amended to read as follows:

(2) Health insurance coverage for surviving spouses, domestic partners and children of [police officers, firefighters and] certain [other] city employees:

(i) Where the death of a [member of the uniformed forces of the police or fire departments] city employee is or was the natural and proximate result of an accident or injury sustained while in the performance of duty, or where accidental death benefits have been awarded in connection with a qualifying World Trade Center condition as defined in paragraph (a) of subdivision 36 of section 2 of the retirement and social security law, the surviving spouse or domestic partner, until he or she dies, and the children under the age of nineteen years and any such child who is enrolled on a full-time basis in a program of undergraduate study in an accredited degree-granting institution of higher education until such child completes his or her educational program or reaches the age of twenty-six years, whichever comes first, shall be afforded the right to health insurance coverage, and health insurance coverage which is predicated on the insured's enrollment in the hospital and medical program for the aged and disabled under the social security act, as is provided for city employees, city retirees and their dependents as set forth in paragraph one of this subdivision. [Where the death of a uniformed member of the correction or sanitation departments has occurred while such employee was in active service as the natural and proximate result of an accident or injury sustained while in the performance of duty, the surviving spouse or domestic partner, until he or she dies, and the child of such employee who is under the age of nineteen years and any such child who is enrolled on a full-time basis in a program of undergraduate study in an accredited degree-granting institution of higher education until such child completes

powered by Legistar™

his or her educational program or reaches the age of twenty-six years, whichever comes first, shall be afforded the right to health insurance coverage, and health insurance coverage which is predicated on the insured's enrollment in the hospital and medical program for the aged and disabled under the social security act, as is provided for city employees, city retirees and their dependents as set forth in paragraph one of this subdivision. Where the death of an employee of the fire department of the city of New York who was serving in a title whose duties are those of an emergency medical technician or advanced emergency medical technician (as those terms are defined in section three thousand one of the public health law), or whose duties required the direct supervision of employees whose duties are those of an emergency medical technician or advanced emergency medical technician (as those terms are defined in section three thousand one of the public health law) is or was the natural and proximate result of an accident or injury sustained while in the performance of duty on or after September eleventh, two thousand one, the surviving spouse or domestic partner, until he or she dies, and the children under the age of nineteen years and any such child who is enrolled on a full-time basis in a program of undergraduate study in an accredited degree-granting institution of higher education until such child completes his or her educational program or reaches the age of twenty-six years, whichever comes first, shall be afforded the right to health insurance coverage, and health insurance coverage which is predicated on the insured's enrollment in the hospital and medical program for the aged and disabled under the social security act, as is provided for city employees, city retirees and their dependents as set forth in paragraph one of this subdivision.

The mayor may, in his or her discretion, authorize the provision of such health insurance coverage for the surviving spouses, domestic partners and children of employees of the fleet services division of the police department who died on or after October first, nineteen hundred ninety-eight and before April thirtieth, nineteen hundred ninety-nine; the surviving spouses, domestic partners and children of employees of the roadway repair and maintenance division or the bridges division of the department of transportation who died on or after September first, two thousand five and before September twenty-eighth, two thousand five, or on or after April

3, 2018 and before April 5, 2018; the surviving spouses, domestic partners and children of employees of the bureau of wastewater treatment of the department of environmental protection who died on or after January eighth, two thousand nine and before January tenth, two thousand nine or the surviving spouses, domestic partners and children of employees of the bureau of water supply of such agency who died on or after February second, two thousand fourteen and before February fourth, two thousand fourteen; the surviving spouses, domestic partners and children of employees of the traffic enforcement district of the transportation bureau of the police department who died on or after November first, two thousand thirteen and before December first, two thousand thirteen; and the surviving spouses, domestic partners and children of employees of the sanitation enforcement division of the department of sanitation who died on or after July twenty-eighth, two thousand fifteen and before July thirtieth, two thousand fifteen as a natural and proximate result of an accident or injury sustained while in the performance of duty, subject to the same terms, conditions and limitations set forth in the section.] Provided, however, and notwithstanding any other provision of law to the contrary, and solely for the purposes of this subparagraph, a member otherwise covered by this subparagraph shall be deemed to have died as the natural and proximate result of an accident or injury sustained while in the performance of duty upon which his or her membership is based, provided that such member was in active service upon which his or her membership is based at the time that such member was ordered to active duty pursuant to Title 10 of the United States Code, with the armed forces of the United States or to service in the uniformed services pursuant to Chapter 43 of Title 38 of the United States Code, and such member died while on active duty or service in the uniformed services on or after June fourteenth, two thousand five while serving on such active military duty or in the uniformed services. For purposes of this subparagraph, "city employee" shall include employees of the board of education.

§ 2. This local law is effective immediately; provided, however, that the health insurance coverage granted by section 1 of this local law shall be provided to the surviving spouse or domestic partner and children of any city employee who died prior to the effective date of this local law and shall commence prospectively on

powered by Legistar™

such effective date; and provided further that the amendments made to subparagraph (i) of paragraph (2) of subdivision b of section 12-126 of the administrative code of the city of New York shall not affect the continuation of health insurance coverage awarded prior to the effective date of this local law.