



Legislation Details (With Text)

File #: Int 0917-2009 **Version:** * **Name:** Health insurance coverage for surviving family members of certain deceased employees of the department of environmental protection.

Type: Introduction **Status:** Enacted
In control: Committee on Civil Service and Labor

On agenda: 1/28/2009

Enactment date: 2/10/2009 **Enactment #:** 2009/009

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

Sponsors: Larry B. Seabrook, Vincent J. Gentile, Charles Barron, John C. Liu, Helen Sears, James F. Gennaro, (by request of the Mayor), Robert Jackson, Mathieu Eugene, Lewis A. Fidler, Leroy G. Comrie, Jr., Letitia James, Melinda R. Katz, Thomas White, Jr.

Indexes:

Attachments: 1. Committee Report, 2. Press Release, 3. Fiscal Impact Statement, 4. Hearing Testimony, 5. Mayor's Letter, 6. Hearing Transcript, 7. Hearing Transcript - Stated Meeting 1/28/09, 8. Local Law

Date	Ver.	Action By	Action	Result
1/27/2009	*	Committee on Civil Service and Labor	Hearing on P-C Item by Comm	
1/27/2009	*	Committee on Civil Service and Labor	P-C Item Approved by Comm	Pass
1/28/2009	*	City Council	Introduced by Council	
1/28/2009	*	City Council	Referred to Comm by Council	
1/28/2009	*	City Council	Approved by Council	Pass
2/10/2009	*	Mayor	Hearing Held by Mayor	
2/10/2009	*	Mayor	Signed Into Law by Mayor	
2/10/2009	*	City Council	Recvd from Mayor by Council	

Preconsidered Int. No. 917

By Council Members Seabrook, Gentile, Barron, Liu, Sears, Gennaro, Jackson, Eugene, Weprin, Fidler, Comrie, James, Katz and White Jr. (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 surviving family members of certain deceased employees of the department of environmental protection.

Be it enacted by the Council as follows:

Section 1. Subparagraph (i) of paragraph 2 of subdivision b of section 12-126 of the administrative code of the city of New York, as amended by chapter 339 of the laws of 2008, is amended to

read as follows:

(i) Where the death of a member of the uniformed forces of the police or fire departments is or was 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 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-three 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 his or her educational program or reaches the age of twenty-three 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-three 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, and the surviving spouses, domestic partners and children of employees of the roadway repair and maintenance division of the department of transportation who died on or after September first, two thousand five and before September twenty-eighth, two thousand five, and 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 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, other than for training purposes, pursuant to Title 10 of the United States Code, with the armed forces of the United States, and such member died while on active duty on or after

the effective date of local law number ninety-six of the city of New York for the year two thousand five while serving on such active military duty.

§2. This local law shall take effect immediately, and shall be retroactive to and deemed to have been in full force and effect on and after January 8, 2009.

01/20/09
3:15pm