



# Retired Public Employees Association

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## MEMORANDUM IN SUPPORT

S.3854, by Senator Lanza  
A.4203, by Member of Assembly Weprin

**ACT to prohibit public employers from diminishing the health insurance benefits and contributions of certain retired public employees**

The **Retired Public Employees Association** has made the preservation of public retiree health insurance benefits on parity with those afforded active employees a **very high priority** in its Legislative Program.

This bill would prohibit the diminution of the health insurance benefits that a public employer provides to its retirees and their dependents, including contributions made for such coverage, unless a corresponding diminution of benefits or contributions is made to the level of benefits or contributions provided to active employees of such public employer.

Facing rising costs, some public employers have attempted to erode retirees' health insurance benefits because there is no statutory protection afforded many retirees, especially at the local level of government. It is easier to raise retiree premiums or drop retiree or survivor health insurance coverage than to negotiate increased premiums or co-pay amounts for active employees at the negotiating table.

This legislation does not prevent public employers from reducing health insurance benefits as a cost-cutting measure, but it does, in effect, require that any such reductions apply **equally** to all current and retired public employees of the governmental unit.

The provisions of this bill would apply only to retirees that are not retired members of school districts. It should be noted, however, that educational retirees' health insurance benefits are protected by a similar law enacted temporarily in 1994 and made permanent by Chapter 504 of the Laws of 2009 (Part B, §14).

It should be noted that, contrary to assertions made by opponents, there is nothing in the bill that would preclude a municipality from enrolling eligible retirees in Medicare. Medicare benefits would be backed up by a supplemental insurance plan which would ensure that benefits are not diminished. This is, in fact, the concept utilized by the New York State Health Insurance Program (NYSHIP) for Medicare eligible enrollees.

For the above reasons, RPEA **strongly supports** this bill and urges that it be passed by the Legislature.