

Daily News: NYC Council has no plan to pass bill that would let Mayor Adams charge retired city workers for health care: ‘It’s dead’

By [Chris Sommerfeldt](#) - New York Daily News, Jan 19, 2023 at 5:55 pm

City Council leaders announced Thursday they have no plan to pass a bill pushed by Mayor Adams that would allow his administration to charge retired municipal workers for health insurance — and multiple sources in the chamber told the Daily News that the legislation is unlikely to ever get a vote.

The bill is a last resort in the Adams administration’s longtime effort to [enroll the city’s roughly 250,000 retired workers in a cost-cutting Medicare Advantage Plan](#) that critics say would result in inferior health coverage.

Courts have [twice blocked the administration](#) from implementing the plan due to a provision that would slap \$191 monthly premiums on retirees who want to opt out of it in favor of staying on traditional Medicare. While Advantage would be free, the courts have said the administration’s proposed financial penalty for other coverage runs afoul of a local law known as 12-126 that requires the city to provide its retirees with no-premium coverage for life.

As a result, the mayor has for months [pressed the Council to rewrite 12-126](#) in such a way that the \$191 fee would become legally feasible — but Speaker Adrienne Adams said Thursday afternoon that her body has no plan to vote on legislation introduced at his request that would achieve that end.

“There is no scheduled next step,” the speaker said during a news conference at City Hall.



Retirees protesting the Medicare Advantage situation relating to the 12-126 law outside of City Hall, Manhattan, New York, Wednesday, October 12, 2022. (Shawn Inglis/for New York Daily News)

During [a contentious Council Labor Committee hearing](#) earlier this month, Adams administration officials said that if the Council does not adopt the 12-126-tweaking bill by Jan. 26, they would move ahead with the drastic option of eliminating all health insurance options for retirees besides Medicare Advantage.

The administration has maintained that option would comply with the court rulings since there'd be no financial penalty at play.

Given that the Council's final meeting of the month was Thursday, Speaker Adams confirmed the body will not act by the stated deadline. That presumably means the administration will follow through on its pledge to make Advantage the only available plan for municipal retirees.

[[NYC pols, retired city workers blast Mayor Adams' health insurance proposal](#)]

Adams spokesman Jonah Allon declined to disclose the administration's next step. Instead, Allon reiterated that the mayor and the Municipal Labor Committee believe the administration must move ahead with Advantage because it could save the city hundreds of millions of dollar per year [at a time of great fiscal uncertainty](#) for the municipal government.

"The city and the Municipal Labor Committee worked together to take advantage of the federal funding for Medicare Advantage plans that would permit us to continue providing high-quality, premium free coverage for retirees while saving approximately \$600 million a year — savings that are especially critical as we continue to face a skyrocketing health care crisis and other fiscal challenges," Allon said.

Before the full Council would ever be able to consider the bill favored by Adams, the Labor Committee would have to approve it — and a source inside the panel said that's highly unlikely.

"The appetite isn't there to move this bill," the source told The News, speaking on condition of anonymity to discuss internal deliberations.

Another source close to Council leadership agreed. "It's dead," the insider said of the bill, noting that no Council member came out in support of it during [this month's hearing in the committee](#).

In her press conference, Speaker Adams declined to speculate on whether there's any support for the bill in the chamber.

She cast doubt over the Jan. 26 deadline floated by the administration, though.

"It's not even clear that the deadline was ever [active]," she said before lamenting that the administration hasn't yet provided the Council with a detailed contract for its preferred Advantage plan. "One of the questions at the hearing was, 'Where's the contract?' ... We didn't even have a contract to deliberate on as a body, so for me, that was a very important piece of information that we would need to go forward in any decision."

The NYC Organization for Public Service Retirees [filed the lawsuit](#) that prompted courts to block the first iteration of Adams' Advantage push — and has indicated it will seek additional legal intervention if his administration attempts to make it the only health plan available to them.

“If they did that, I’m sure we’ll see them in court pretty quickly,” Marianne Pizzitola, a retired FDNY EMT who leads the retiree group, said at last month’s hearing to cheers from her members.

Ever since former Mayor Bill de Blasio’s administration first tried to roll out the Advantage plan in the fall of 2021, thousands of retired teachers, EMTs and other municipal workers have argued that such a switch would destroy their coverage. They’ve pointed to [federal studies](#) showing that Advantage plans — which are administered by private health insurance providers, unlike traditional Medicare — can deny “medically necessary” care for beneficiaries.

Adams’ administration has disputed such concerns and said Advantage would provide retirees with robust coverage, while allocating savings to hedge against a city budget deficit that could grow as large as \$6 billion in coming years.