

Employee Benefits Division Policy Memorandum

Number: Policy Memo 150

Date Issued: October 17, 2023

Subject: Minimum Time Frame to Join the New York State Health Insurance Program (NYSHIP) or Change NYSHIP Participation

Purpose:

Establish a minimum time frame in which Participating Agencies (PA) and Participating Employers (PE) must notify the Employee Benefits Division (EBD) when joining the New York State Health Insurance Program (NYSHIP) or making changes to their NYSHIP participation.

Background:

New York State public employers must notify the Employee Benefits Division (EBD) when requesting to join NYSHIP as a PA or PE, or when changes to NYSHIP participation are adopted by the governing body or board of an existing PA or PE (also referred to as resolution changes).

Requests to join NYSHIP must be submitted in the form of a completed and signed *NYSHIP Participation Agreement* and *PS-500, Resolution Electing Participation in NYSHIP*. Both documents are available upon request from the Public Employer Liaison Unit at PELU@cs.ny.gov.

Changes to NYSHIP participation include, but are not limited to:

- Changes to an agency's enrollee contribution rates;
- Changes to the available plan option (e.g., Empire Plan or Excelsior Plan);
- Changes to an agency's eligible classes or categories of employee or retiree;
- Changes to an agency's minimum service time for retirement (minimum 5 years); and
- Changes to an agency's employee waiting period (not to exceed 6 months).

A full list of applicable changes can be found in the *Administrative Guide for Participating Agencies* on the "Join NYSHIP" page of the Department of Civil Service Website.

Notification of such changes must be on agency letterhead and include:

- The date the change was approved or adopted.
- The date the change will be effective.
- The group(s) of enrollees affected by the change.

- The signature of an agency official; and
- Any supporting documentation the agency can provide, such as a resolution document, an excerpt of minutes from a meeting of the agency's governing body, or an excerpt of a collective bargaining agreement.

The Employee Benefits Division will review the notification to make sure all changes are compliant with Civil Service Law, the NYS Regulations, and NYSHIP Policies. If a PA or PE submits a resolution that is not in compliance with NYSHIP requirements, the resolution will not be accepted. EBD will respond to the employer in writing, identify the area(s) where the change is not compliant, and request that a revised policy be submitted to the Department. If a revised policy is not submitted, the last resolution in place will remain in effect.

Previously, EBD requested at least 60 days' advance notice before a PA or PE implemented any changes to its NYSHIP participation. However, to facilitate and implement an agency's changes to NYSHIP participation, EBD must comply with federal and state reporting requirements, coordinate enrollments and prescription drug coverage, manage access to NYSHIP resources, coordinate with NYS Office of Information Technology Services, and manage tasks among multiple EBD units, including the Public Employer Liaison Unit (PELU), Program Administration, Vendor Management, and Communications. Therefore, the Employee Benefits Division requires additional advance notice to implement these changes in a way that is practicable and will avoid disruptions in coverage for the employees and retirees of PAs and PEs.

Policy:

All Participating Agencies (PA) and Participating Employers (PE) must provide EBD with a formal written notification **at least six months** prior to joining NYSHIP as a new agency or making any changes to their existing NYSHIP participation. This requirement applies to all requests and/or changes described above, and the additional changes outlined in the *Administrative Guide for Participating Agencies*. Requests received fewer than six months before the desired effective date will not be accepted. A later effective date will be assigned 6 months from the date the request was submitted to EBD, and the agency will be required to submit a new request acknowledging the change in effective date.

As a reminder, requests to withdraw from NYSHIP must be submitted at least 90 days in advance in accordance with the New York State Regulations, 4 CRR-NY 73.10(a). Requests to withdraw must be submitted in the form of a letter on agency letterhead signed by an agency official.