

JANUARY 12, 2023

TESTIMONY SUBMITTED

BY

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TO

**THE NEW YORK CITY COUNCIL
COMMITTEE ON CIVIL SERVICE AND LABOR
HON. CARMEN DE LA ROSA, CHAIRPERSON**

REGARDING

INT. NO. 874

**A LOCAL LAW TO AMEND SECTION 12-126 OF THE ADMINISTRATIVE CODE OF THE
CITY OF NEW YORK IN RELATION TO HEALTH INSURANCE COVERAGE FOR
CITY EMPLOYEES, CITY RETIREES, AND THEIR DEPENDENTS**

Thank you for affording me this opportunity to testify.

I am a recently retired New York City teacher, having served over 25 years at Christopher Columbus HS and the HS of American Studies at Lehman College, both in the Bronx. At 58 I am not Medicare-eligible.

I listened to all twelve hours of questions and testimony on Monday, via zoom.

It seems obvious that all parties, except OLR and the MLC, recognize that the Medicare Advantage is inferior to the coverage our Medicare-eligible retirees currently have. Prior authorizations loom large. And we have evidence, in the tens of thousands of opt-outs, that our retirees believe this to be true.

The MLC and OLR and Scheinman, the entire "Tripartite Committee" agreed over a year ago that they wanted Medicare Advantage, with the option for retirees to keep Senior Care, but with a penalty (the \$191). They recognize that no one would willingly switch to Medicare Advantage – thus the penalty. They recognized that an insurer

would only take the contract if most retirees were part of that contract. They also recognized that not offering Senior Care with the penalty would open them up to a huge backlash. My union leaders in particular are dependent on retiree votes in union elections, and sought to avoid such a backlash.

Medicare Advantage and Senior Care with a penalty was win-win-win for the Tripartite Committee and the insurer (first, the Alliance. Today, Aetna). The penalty will force the majority of retirees into Medicare Advantage. The Senior Care option with penalty reduces the size of the backlash.

Judge Frank's decision disrupted the Tripartite Committee's plan. Without Senior Care with a penalty, the Committee was not willing to move forward.

I should interject, the committee, while named "Tripartite" has been moving in concert for the entire period of this controversy. There is no evidence that OLR, the MLC or Scheinman have disagreed on any aspect of fact or way forward.

Since Judge Frank's decision, every action the committee, and its separate parts, has taken, has been to enable their original plan – Medicare Advantage along with Senior Care with a penalty – to go forward. To enable that, they have orchestrated a campaign around 12-126.

That campaign includes the claim that Scheinman has ordered Senior Care be eliminated, unless 12-126 is amended. OLR, the MLC and its constituent parts, and Scheinman have made this claim. I ask that you ask the City Council's own attorneys to examine this claim. They will determine that Scheinman has no such authority.

By claiming Scheinman has that authority, OLR, the MLC and Scheinman himself are hoping to get 12-126 changed. They are bluffing the City Council. They think they can scare you.

Two-thirds of the Tripartite Committee testified Monday. I believe the missing member did not testify to avoid answering questions about his authority – or as the case may be – his lack of authority.

Every major piece of correspondence, Scheinman's recommendation document, Ms. Champion's two letters, the letters from the leaders of the large MLC unions, including my own, the UFT, have appeared to be addressed to someone else. But each of these letters has included a threat directed at the City Council.

Council members the members of the tripartite committee are attempting to scare you into amending the administrative code. Do not let them intimidate you.

PLEASE VOTE AGAINST CHANGING NYC ADMINISTRATIVE CODE SECTION 12-126!

Again, I thank you for affording me the opportunity to testify and I very much hope I have convinced you to oppose changing 12-126.