

# Liz Krueger



New York State Senate | 28th District

November 2013

## Message from Liz...

### Healthcare Marketplaces

The implementation of healthcare marketplaces under the federal Affordable Care Act has begun, and clearly there have been major problems, both in New York State and across the country. The good news for New Yorkers is that our state marketplace, called New York State of Health, is working out the kinks a lot faster than the federal marketplace. From the October 1 launch date through November 12, over 48,000 New Yorkers enrolled in health insurance and almost 200,000 completed applications. New York made the decision to set up its own marketplace, and the wisdom of that choice is clear given the much more significant problems with the federal marketplace. But even here in New York there are still problems, and my office has received many calls with concerns.

Some of the issues in New York have been concerns about cancellation of existing insurance plans, technical problems with the website, difficulty making appointments with navigators for assistance in signing up for insurance, and inadequate information provided by phone operators for the marketplace. Fortunately, most of the technical issues that New York's website exhibited in the first weeks of operation have been fixed, and an updated list of navigators was just released. I have been working to make sure that the Department of Health is made aware of these issues as they arise, and that they are being addressed.

My bigger concern with these implementation problems is making sure that they do not discourage New Yorkers from getting insurance through the marketplace and accessing significant benefits. As the state's marketplace moves forward, I am hopeful that administrators will continue to work out the kinks so the exchange can function as it was meant to – as a marketplace that will allow consumers to shop for the best plan for themselves. In many cases, particularly for those who are uninsured, self-employed, or working for a small businesses, the marketplace is a real opportunity to get quality healthcare coverage at dramatically lower costs than what was formerly available to them.

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For those who do explore their options, feedback has been very positive, and we've been hearing comments like "my small business found a great option for itself and my workers are thrilled", "my family is saving \$800 and getting better coverage", and "I had no idea how much lower these premiums could be, plus the federal subsidy!"

Another concern is individuals' ability to meet the deadlines for signing up for insurance, given the enrollment problems some have experienced. Individuals have until March 31st, 2014 to sign up for insurance for 2014, but must sign up by December 15th, 2013 to have their new insurance go into effect on January 1st. Individuals who do not currently have insurance must sign up by March 15th in order to avoid facing a penalty (a maximum of \$95 a year or 1% of income, whichever is greater). Based on the progress that the Department of Health has made in addressing the initial problems, I believe that individuals should be able to meet these deadlines.

In early October, I hosted a forum on New York State of Health, attended by more than 200 people, where experts from the state, the business community, and the nonprofit sector discussed issues of implementation. Materials from that forum are available on my website at [krueger.nysenate.gov](http://krueger.nysenate.gov) or by calling my office at (212) 490-9535. I am also in the process of preparing a newsletter focused on addressing some of the most common issues and questions that have come up, which I will be sending out later this year.

While there are a number of factors that have contributed to the problems with the federal marketplace and to a lesser extent with New York's marketplace, I believe one major factor is simply the complexity of the underlying legislation. The Affordable Care Act is a bit of a Rube Goldberg contraption, in that it tries to address the need for universal healthcare coverage without creating a single-payer system. I continue to believe that the long-term solution to healthcare reform is a universal single-payer system, which has proven to be successful both in terms of cost-control and access to care in other countries.

For more information or to apply for insurance through the Marketplace, go to <https://nystateofhealth.ny.gov/>, call the toll-free helpline at [1-855-355-5777](tel:1-855-355-5777), or meet in-person with a health care navigator (call or check the website to find one near you).

### Food Stamp Cuts

The recent federal cut to SNAP, also known as food stamps, translates into 20.6 million fewer meals for the 3.19 million New Yorkers receiving these benefits, and the House and Senate are proposing billions more be cut from this, the most effective targeted nutrition program for low-income Americans.

Thanksgiving makes all of us think about what we are thankful for and hopefully also remember that so many of our neighbors in New York suffer unbearable circumstances just to put food on the table. Of course you should support your community feeding programs if you are able, but also take a minute to let all your elected officials know that they must not abandon our vital safety net programs.

## COMMUNITY SPOTLIGHT

### **Senator Liz Krueger's Roundtable for Boomers & Seniors:**

Senator Liz Krueger's Roundtable for Boomers & Seniors provides an opportunity for constituents to come together to explore life issues that are relevant across the age span. At each session, attendees hear from and engage with professionals who are knowledgeable on topics that are of concern to the growing population of older adults in New York City. Over five sessions in five months, the roundtable looks at a specific issue from five unique perspectives. Past programs have addressed issues surrounding financial issues for older adults, caregiving, and employment. Last year, we examined Longevity and Its Impact on Society. This year's topic, How We Age, will look at issues around how we age physically, mentally, emotionally, creatively, and socially.

The first roundtable will take place Thursday, November 21st from 8:30 to 10:00 a.m. at Lenox Hill Neighborhood House, 331 East 70th Street. Call 212-490-9535 or email [anrielle.georgenyc@gmail.com](mailto:anrielle.georgenyc@gmail.com) to RSVP.

### **Lung Cancer Awareness Symposium:**

In recognition of Lung Cancer Awareness Month, join Memorial Sloan-Kettering Cancer Center on Friday, November 15 from 11:00 AM – 2:00 PM for the third annual Lung Cancer Awareness Symposium: A Multidisciplinary Approach for Patient Care. Memorial Sloan-Kettering clinicians and staff will present information on lung cancer treatment, lung cancer screening, tobacco cessation, integrative medicine therapy, support services, and much more.

The event will be held at Memorial Sloan-Kettering's Rockefeller Outpatient Pavilion, 160 East 53rd Street, 11th Floor. Refreshments will be served.

### **Project Renewal Scan Van Offers Free Mammograms:**

On December 2, the Project Renewal Scan Van will be offering free mammograms to women 40 and over who have not had a mammogram in the past year. All insurance plans are accepted, and co-payments and deductibles are waived. Mammograms are free for uninsured women over 40. The van will be in front of Stuyvesant Town at First Avenue between 16th and 17th Streets from 1:30 to 4:30 p.m. on Monday, December 16th. I am cosponsoring this event along with State Senator Brad Hoylman. Space is limited and appointments are required to guarantee your mammogram. For more information or to make an appointment, call (800) 564-6868.

### **Lenox Hill Neighborhood House SCRIE Assistance Project:**

Lenox Hill Neighborhood House is excited to announce the expansion of their SCRIE Assistance Project. They have added new partners to the project and now have expanded

capacity to serve seniors city-wide. If you are 62 years or older, live in a rent regulated apartment and your annual household income is \$29,000 or less, you may be eligible for SCRIE, which will exempt you from most future rent increases. If you currently have SCRIE, remember that you must recertify for SCRIE every one to two years. To find out if you are eligible, or for assistance applying or recertifying for SCRIE, please call (212) 744-5022 ext. 1392.

**My Social Security Website:**

My Social Security is a free, online service provided by the Social Security Administration through which people who currently receive a monthly Social Security and/or Supplemental Security Income (SSI) benefit may obtain proof of income without having to visit their local Social Security office or call our national toll-free number. My Social Security also is the site where people age 18 and older who have a work history may check their annual Social Security earnings.

If you have paid into Social Security, please visit [www.socialsecurity.gov/myaccount](http://www.socialsecurity.gov/myaccount) to register. For more information, access the My Social Security fact sheet at <http://www.socialsecurity.gov/pubs/EN-05-10540.pdf>.

**STAR Property Tax Exemption Reapplication:**

New York State is requiring all recipients of the STAR Property Tax Exemption to reapply by December 31, 2013 in order to continue to receive the exemption in 2014 and future years. This is a one-time reapplication and will not have to be done every year, though seniors receiving Enhanced STAR will continue to have to recertify their income eligibility ever year.

New York City residents should have already received a letter from the New York State Tax Department outlining the procedure to reapply, but you can also reapply online at <http://www.tax.ny.gov/pit/property/star13/default.htm>, or by phone at [\(518\) 457-2036](tel:5184572036).

**Metrocard Bus and Van Schedule:**

The MTA offers Metrocard-related services throughout New York City through mobile buses and vans. Buses provide a full range of services, including applying for or refilling a Reduced-Fare MetroCard, buying or refilling a regular MetroCard, or getting answers to a MetroCard-related question. Vans sell Unlimited Ride MetroCards and Pay-Per-Ride MetroCards, and they refill MetroCards and Reduced-Fare MetroCards.

Buses and vans will be in my district on the following dates and locations:

- November 12, 10:30 am, 92 Street & Lexington Avenue – Bus
- November 12, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus
- November 12, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus
- November 20, 9 - 10:30 am, 79 Street & 3 Avenue – Bus
- November 20, 11 am - 1 pm, 79 Street & York Avenue – Bus
- November 20, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus
- November 21, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van

- November 21, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van
- November 26, 10:30 am, 92 Street & Lexington Avenue – Bus
- November 26, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus
- November 26, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus
- December 3, 9 - 10:30 am, 79 Street & 3 Avenue – Bus
- December 3, 11 am - 1 pm, 79 Street & York Avenue – Bus
- December 3, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus
- December 4, 7:00-9:00 a.m., 90th Street and York Avenue - Van
- December 4, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van
- December 4, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van
- December 5, 9 - 10 am, 57 Street and 1 Avenue – Van
- December 5, 10:30 - 11:30 am, 57 Street and 3 Avenue – Van
- December 5, 12:30 - 2:30 pm, 68 Street and 1 Avenue – Van

The full mobile Metrocard schedule is available at <http://mta.info/metrocard/mms.htm>.

**Heat Season Rules:**

The City Housing Maintenance Code and State Multiple Dwelling Law require building owners to provide heat and hot water to all tenants. Building owners are required to provide hot water 365 days a year at a constant minimum temperature of 120 degrees Fahrenheit.

Between October 1st and May 31st, a period designated as “Heat Season”, building owners are also required to provide tenants with heat under the following conditions:

- Between the hours of 6AM and 10PM, if the outside temperature falls below 55 degrees, the inside temperature is required to be at least 68 degrees Fahrenheit.
- Between the hours of 10PM and 6AM, if the temperature outside falls below 40 degrees, the inside temperature is required to be at least 55 degrees Fahrenheit.

Tenants who are cold in their apartments should first attempt to notify the building owner, managing agent or superintendent. If heat is not restored, the tenant should call the City’s Citizen Service Center at 311. For the hearing-impaired, the TTY number is [\(212\) 504-4115](tel:(212)504-4115). The Center is open 24 hours a day, seven days a week.

## POLICY SPOTLIGHT

### Fighting Workplace Sexual Harassment

I recently introduced new legislation to ban workplace sexual harassment of unpaid interns in New York State (S5951 / A8201). Loopholes in local, state, and federal laws have hampered interns' attempts to seek redress for sexual harassment through the courts.

With the growing prevalence of unpaid internships and the extreme pressure on young people to build up resumes and references in a tough economy, the law needs to change to protect this extremely vulnerable class of workers. I am particularly concerned that most internships involve students or new graduates; young people who may be exceptionally insecure about knowing what to do when harassed in their workplace. When it comes to protecting interns from sexual harassment and discrimination, there must be universal agreement and swift action when the legislature returns to Albany in January.

In a recent, highly-publicized decision, a federal judge found that Syracuse University student Lihuan Wang could not sue the media company where she had interned, despite allegations that her supervisor had groped and attempted to kiss her. The judge ruled that New York City's human rights law did not protect unpaid interns.

Similarly, judges have also dismissed sexual harassment suits in New York brought under the federal civil rights law, such as the 1994 case of Bridget O'Connor, who worked as an unpaid intern at the Rockland Psychiatric Center in Rockland County. Doctors at the center allegedly began to refer to her as Miss Sexual Harassment, told her she should participate in an orgy, and one doctor suggested that she remove her clothing before meeting with him. Despite all this, a federal appeals court confirmed in *O'Connor v. Davis* that because she was unpaid, she did not meet the definition of an employee and therefore was not entitled to protection under federal civil rights laws.

S5951 would close this loophole by protecting interns under state law. The bill would define internships, explicitly ban workplace sexual harassment of interns, and apply general workplace civil rights protections to interns.

Both the District of Columbia and the state of Oregon have passed laws extending anti-harassment and anti-discrimination protections to interns in the workplace. S5951 is modeled on Oregon's statute, and is cosponsored by Senators Tony Avella, Terry Gipson, Brad Hoylman, Tim Kennedy, George Latimer, José Peralta, and José Serrano. Assemblymembers Daniel O'Donnell and Luis Sepulveda have introduced companion legislation (A8201) in the Assembly.