



NEW YORK STATE SENATOR

Shelley B. Mayer

## Senator Mayer and Assemblyman Otis Applaud New York State Department of Civil Service’s Landmark EMS Policy Decision, Achieved with the Assistance of Comptroller Tom DiNapoli

SEN. SHELLEY MAYER February 21, 2023



**WESTCHESTER, NY** – Senator Shelley B. Mayer and Assemblyman Steve Otis were joined by Rye Brook Village Administrator Chris Bradbury, Westchester County Emergency Services Commissioner Richard Wishnie and a group of “Emergency Medical Services” (EMS) leaders to applaud a landmark policy decision from the NYS Department of Civil Service, working with the NYS Comptroller’s Office, that enables active members of volunteer ambulance and EMS organizations serving one or more municipal corporations to be eligible to participate in

the New York State Health Insurance Program (NYSHIP). This decision reflects the Comptroller's Office's recognition, long advocated by Senator Mayer and Assemblyman Otis, that EMS agencies serve as extensions of municipalities rather than quasi-public organizations.

The change of policy, released on February 10, followed meetings Senator Mayer and Assemblyman Otis held with staff of the Comptroller's Office and the Department of Civil Service where the legislators made the case that these volunteer ambulance and EMS organizations should not be judged by the rule that required 50% of a groups funding must come from government sources for employees to be eligible for NYSHIP. Given that these entities often receive revenue from insurance proceeds, the 50% test obscured the fact that these entities are extensions of local governments and should be eligible for NYSHIP as Participating Agencies.

In changing the policy, the Department of Civil Service indicated that denying coverage no longer made sense. "Upon reexamination, this result feels contrary to the spirit of the law. Since many EMS companies are acting as extensions of one or more local New York State municipalities, EMD (Employee Benefits Division) has determined it is more logical to extend eligibility to such organizations as NYSHIP Participating Agencies (PAs)... As such, admitting ambulance and EMS agencies as PAs would eliminate the need for the three-prong test and allow for an easier path to participation going forward."

**State Senator Shelley B. Mayer said,** "I'm very pleased to join my colleague Assemblyman Steve Otis and leaders in the EMS community in celebrating this important victory. This transformative policy decision that we fought for will lead to more affordable and better health coverage for EMS workers throughout New York. I want to thank Timothy Hogues, Commissioner of the NYS Department of Civil Service and Comptroller Tom DiNapoli for listening to the voices of those dedicated public advocates who have pushed for this change

and doing what's right to protect those who make enormous sacrifices in their communities each and every day. Special thank you to Rye Brook Administrator Chris Bradbury for his persistent efforts on this critical issue."

**State Assemblyman Otis said,**"This is the first victory in Senator Mayer and my effort, working with local officials and emergency responders across the state, to improve benefits and the legal framework to allow EMS services to recruit and retain staff, strengthen their important position as emergency responders and improve response times. NYS Civil Service Commissioner Timothy Hogue and State Comptroller Tom DiNapoli and their teams deserve tremendous credit for listening to our concerns and taking this important action. Congratulations to Rye Brook Administrator Chris Bradbury, Westchester Commissioner of Emergency Services Richard Wishnie and the network of officials they have organized around this issue."

Mayer and Otis introduced legislation last year to address the needs of EMS organizations, and again this year (S4020/A3392). The Senator and Assemblyman received good news on February 1 when Governor Hochul included language in her state budget proposal to address some of the Mayer/Otis proposals.

In a joint statement Mayer and Otis committed to next steps stating, "In the budget process we are eager to negotiate agreement to make the changes to create a sustainable EMS system in New York by elevating the essential nature of EMS services, make sure that EMS coverage is required, better funded and better able to retain staff. These are the changes sought by the local officials and first responders we are working with."

"We must build on this victory and continue to make policy changes to ensure our essential EMS workers can earn a living wage and receive the training and support to serve communities across New York. The final budget must include stronger language to ensure

these heroes receive the acknowledgement and resources they need to do these jobs.”

**Westchester County Executive George Latimer said,**“In Westchester County, we understand the intense, lifesaving work that our EMS workers do every single day. This legislation will put more – and much needed - dollars behind that understanding. I urge our State Legislators to include it in their final New York State budget and I thank Senator Mayer and Assemblyman Otis for their leadership on this front.”

**Port Chester-Rye-Rye Brook EMS Administrator Kenny Barton said,** "The mission that NYS Senator Mayer and NYS Assemblyman Otis have embarked on with proposing this legislation is of critical importance to every resident in Westchester County and across the entire state. The status of the EMS system as a whole in New York is as fragile and as susceptible to failure as it has ever been all while the need and utilization of EMS continues on a rapid rise. Everyone should be paying close attention to the situation and in particular to this legislation as it affects us all.”

**Stephen Acquario, Executive Director of the New York State Association of Counties said,** “All across the state, Emergency Medical Services are under threat from rising costs and staffing shortages. This legislation provides counties with the flexibility they need to form special districts with local municipalities and EMS partners that can adequately fund these lifesaving services so that they’re available to New Yorkers in their moment of need. The New York State Association of Counties commends Senator Mayer and Assemblyman Otis for sponsoring this bill and we are proud to stand with them in urging its inclusion in this year’s state budget.”

**Chris Bradbury, Rye Brook Village Administrator said,** “The recognition of EMS as an Essential Service is long overdue in NYS. Most residents would be shocked to learn that EMS is not even required to be provided in NYS, and are unaware that many of the EMS agencies and

employees are struggling throughout the county, state and nation. By supporting this proposed state legislation, EMS will receive more support and finally be recognized as an Essential Service that responds to emergencies and provides important early intervention health care to patients at a time when seconds count.”

[Watch the press conference here.](#)