



March 25, 2019

The Honorable Andrew M. Cuomo  
Governor New York State  
NYS State Capitol Building  
Albany, NY 12224

The Honorable Andrea Stewart-Cousins  
Senate Majority Leader  
Room 907, LOB  
Albany, NY 12247

The Honorable Carl Heastie  
Assembly Speaker  
Room 932, LOB  
Albany, NY 12248

Dear Governor Cuomo, Leader Stewart-Cousins and Speaker Heastie:

On behalf of a broad group of organizations representing employers that are committed to ensuring access to quality and affordable health care, we are writing with regard to several items under consideration in the FY2020 budget that will translate into higher health care costs for New York businesses and the individuals they employ. Our specific concerns are outlined below and we urge that these provisions not be included in the final budget.

**Mandated Benefits – Infertility & Inpatient Substance Use Services**

We are concerned with the proposals to require coverage of in-vitro fertilization and fertility preservation services, as well as expanding the mandate for inpatient treatment for substance use from 14 days to as much as 28 days. New York has over 40 mandated benefits in statute, requiring coverage of more than three dozen types of treatments or services. While the cost of some of these benefits in isolation may be relatively small, the collective impact of mandated benefits adds to the cost of insurance. New York already has the highest average premiums in the lower 48 states. Mandating coverage of specific services limits the ability of employers to manage their health care costs and requires inclusion of benefits their workforce may not want or need.

**Increasing the Covered Lives Assessment for Early Intervention**

The Assembly and Senate one-house budget resolutions propose increasing the covered lives assessment (\$16 million in the Assembly; \$15 million in the Senate) to pay for early intervention services. The covered lives assessment is one of several health insurance “taxes” under the Health Care Reform Act that already add nearly \$5 billion annually to the cost of coverage. Increases in assessments exacerbates the challenge employers face to make high-quality, affordable coverage available to their employees.

Controlling rising health care costs is a critical issue facing employers, as increases in the cost of health care stymies the ability of employers to create jobs, invest in their companies and improve the state's economy. Adopting new mandated benefits and increasing assessments that act as a tax on the cost of health insurance only makes the cost of doing business even more expensive in New York.

For all of these reasons, we would urge rejecting these provisions from the final FY2020 budget.

Sincerely,

The Business Council of New York State  
Employer Alliance for Affordable Health Care  
Capitol Region Chamber

Buffalo-Niagara Partnership

National Federation of Independent Businesses-NY  
Unshackle Upstate  
Greater Binghamton Chamber of Commerce