

NYSUT's Preliminary Analysis of the Governor's 2019-20 Proposed Executive Budget

Pursuant to the State Constitution, this week Governor Andrew Cuomo released his 2019-20 Executive Budget proposal which totals \$175.2 billion. The following is a preliminary analysis of the executive budget submission.

PK-12

School Aid

The 2019-20 New York State Executive Budget allocates \$27.69 billion in funding for education. This represents an increase of \$956 million, or approximately 3.6 percent over the amount allocated in the 2018-19 New York State Enacted Budget.

The school aid is allocated as follows:

- \$338 million in Foundation Aid, this includes \$50 million in a community schools set-aside;
- \$409.7 million in expense-based aid, which includes BOCES;
- \$156 million for an unallocated fiscal stabilization fund; and
- \$50 million in other programs (e.g., after-school programs, expansion of pre-K, student welcome grants, early college high schools, Smart Start, expanded Advanced Placement (AP) access and other educational initiatives).

Additional school aid will be needed in the enacted budget given that the tax cap is at two percent for 2019-20 and schools are still owed more than \$4 billion in Foundation Aid.

School Spending Reporting and Funding Equity

The executive budget builds on the school spending reporting provisions enacted last year by requiring school districts to dedicate a portion of their Foundation Aid increases to address inequities in their most underfunded and neediest schools.

The director of the budget will be required to compile a list of "underfunded" schools by May 1, 2019, using the data reported from the base year (2018). Schools districts that require an equity plan, must submit one by July 1, 2019, to the commissioner of education for approval, or risk losing their state aid increase.

The executive budget proposal would require that school districts with buildings identified as "underfunded" set aside ten percent of their Foundation Aid increase to provide equity funding for each building so identified. If the school district receives more than 50 percent of their funding from the state, the amount of equity funding would be capped at 50 percent of their Foundation Aid increase. For districts that receive less than 50 percent of their funding from the state, the equity funding could be as high as 75 percent of their Foundation Aid increase.

School Aid Growth Cap

The executive budget would base the school aid growth cap on a 10-year average of annual income growth as opposed to the current metric of annual income growth.

Expense-Based Aids

Beginning in the 2020-21 school year, the executive proposal merges 11 expense-based aids (BOCES, transportation, special services, high tax, textbook, school library materials, computer software, computer hardware and technology, supplemental public excess cost and academic enhancement) into one category called “services aid.” The proposal would also create a new tier in building aid for new projects and ties growth in this aid to inflation.

APPR

The executive budget proposal includes language that is identical to the APPR bills introduced by both houses of the Legislature, which is supported by NYSUT.

Standardized Tests and Student Permanent Records

The executive budget makes permanent provisions of law that prohibit state standardized test scores from being included in a student’s permanent record.

Community Schools and Receivership

The executive budget also proposes adding \$50 million in new set-aside funding, for a total of \$250 million to community school programs, including providing a community school site coordinator and programs for English language learners. The executive budget raises the minimum amount of the district set-aside from \$75,000 to \$100,000.

In addition, \$1.2 million is allocated for services and expenses for three community school regional technical assistance centers.

BOCES

The executive budget provides \$1 million to BOCES to help facilitate the implementation of a recovery high school for programs that offer a safe and supportive learning environment for students diagnosed with or at risk of substance use disorder. This funding will allow these schools to incorporate treatment and recovery supports into the normal school day to facilitate personal, academic, vocational and recovery success for the student.

BOCES would also be authorized to establish regional science, technology, engineering and mathematics (STEM) magnet schools for grades nine through 12. BOCES must submit an operating plan that is approved by the commissioner of education. All employees of the school will be considered employees of the BOCES.

Tax Cap

The executive budget proposes to make the tax cap permanent. For the 2019-20 school year, the tax levy limit is projected to be two percent, generating approximately \$400 million statewide.

Charter Schools

The executive budget provides a \$24.9 million increase to New York City charter schools for a per pupil funding increase via a direct state grant. The executive budget also increases charter school facilities aid to \$31.5 million, an increase of \$25.4 million.

Teacher Centers and Professional Development

The Executive Budget would completely eliminate funding for Teacher Centers (a cut of \$14.26 million) and provides funding for the following programs as follows:

- Mentor Teacher/Intern Program - \$2 million;
- National Board Certification - \$368,000;
- Teachers of Tomorrow - \$25 million
 - \$5 million to attract qualified teachers that have received or will receive a transitional certificate and agree to teach mathematics, science or bilingual education in a low performing school). \$1 million of which will provide a matching grant to colleges and universities to support programs to recruit and train math and science teachers; and
 - \$500,000 for the Yonkers and Syracuse City School Districts to increase the number of teachers who teach math, science and related areas and who have such a transitional certificate
- Master Teacher Program - \$3 million

Pre-Kindergarten Expansion

The executive budget proposes an increase of \$15 million to expand pre-kindergarten to three- and four-year-olds.

Student Welcome Grants

The executive budget proposes \$1.5 million for a refugee and immigrant student welcome program, \$500,000 of which will be made available to school districts in Nassau and Suffolk counties, for expanded community schools, providing school supplies for incoming students, training for staff, counseling and family engagement.

Restorative Justice

The executive budget proposes \$3 million to increase the use of alternative approaches to student discipline through activities including but not limited to restorative justice techniques, therapeutic crisis intervention, staff training on alternative discipline and trauma informed education. The commissioner of education will be required to submit a report with recommendations for comprehensive statewide discipline reform, including the use of out-of-school suspensions. This report will be developed with consultation from stakeholders including educators, civil rights organizations, the governor and the Legislature.

My Brother's Keeper

The executive budget provides \$18 million for My Brother's Keeper to improve outcomes for boys and young men of color.

Power Plant Closures and Affected School Districts

During the executive budget presentation, the governor spoke about a program to provide financial assistance to school districts and municipalities when a conventional power plant is decommissioned.

Mayoral Control

The executive budget proposes that mayoral control of New York City Schools be extended for three years, through the 2021-22 school year.

Early College High Schools

The executive budget provides \$9 million to expand early College High School programs. This proposal will give priority to programs that serve students in schools with graduation rates below the state average or college access rates. Students entering this program receive both a high school diploma and an Associate's Degree, at no cost to the student or their family.

4201 Schools

The executive budget cuts funding for 4201 schools by \$2.5 million to \$102.9 million. The executive budget proposal provides \$30 million in capital funding to address health and safety projects at 4201 schools.

Minimum Wage Assistance for 4201, 4410, Special Act and 853 Schools

The executive budget provides a total of \$17.2 million for increased salaries for staff in 4201, 4410, Special Act and 853 schools who are covered by the increased minimum wage enacted in 2016.

Contract for Excellence

The executive budget continues the Contract for Excellence unless all schools in the district are identified to be in good standing.

Smart Start

The executive budget provides \$6 million for the Smart Start computer science and engineering program.

After-School Programs

The executive budget adds \$10 million to the Empire State After School Program, \$2 million of which will be made available to Nassau and Suffolk counties and \$8 million for the rest of the state for a total of \$55 million. Funding for the Advantage After School Program was reduced from \$22.3 million to \$17.2 million.

Mental Health Services for Middle Schools and Junior High Schools

The executive budget provides \$1.5 million to create enhanced mental health support grants for wrap-around health services, improving school climate, combating violence and bullying and supporting social-emotional learning in middle schools and junior high schools.

School Meal Program

The executive budget proposes \$34.4 million for the school meal program. The executive budget also proposes \$10 million for school lunch programs that purchase at least 30 percent of their food products from New York farmers, growers, producers or processors.

Special Education “Mandate Relief”

The executive budget again proposes to allow school districts, BOCES and private schools to petition the State Education Department for flexibility in complying with certain special education requirements – raising significant concerns about the potential erosion of services to students with disabilities.

Anti-Discrimination Protections in Public Schools

The executive budget would extend the human rights law’s anti-discrimination provisions to public educational institutions (including public schools and public universities). These provisions outlaw discrimination, harassment and bullying for members of protected groups.

Child Victims Act

The executive budget increases the statute of limitations for sexually related felony offenses committed against a person who is less than 18 years of age, limits the ability to seek civil damages and would revive previously time-barred claims for a period of one year.

Establish Extreme Risk Protection Orders

The executive budget would prevent individuals determined by a court to be likely to engage in conduct that would result in serious harm to themselves or others from purchasing, possessing or attempting to purchase or possess a firearm, rifle or shotgun. Under this proposal, school officials would be authorized petitioners for these types of protection orders.

Health Education Standards

The executive budget requires the State Education Department to create a grade six-12 age-appropriate, medically accurate instruction for teaching comprehensive sexual education, sexual health and healthy relationship practices. Such instruction would be inclusive and respectful of all students and include topics that identify and examine ideas about healthy relationships and behaviors learned from home, family and the media, self-esteem and self-worth, characteristics of a healthy relationship, teen dating violence, exploitation and abuse and instruction to identify and report sexual harassment.

The educational standards for such instruction will be added to the Health Education Standards after consultation with the commissioners of Health and Children and Family Services. Prior to adopting the standards, the commissioner of education will establish a task force to study and make recommendations regarding the scope and substance of the standards. The task force will seek the recommendations of teachers, school administrators and others with educational expertise in the proposed subject areas. Age-appropriate model instruction resources for parents and educators will be posted on the department’s website.

Sex Discrimination in Schools

The executive budget requires the commissioner of education to direct every school district to adopt and distribute a sex discrimination policy, pursuant to Title IX. Title IX of the Education Amendments of 1972, prohibits discrimination based on sex in education programs, athletics and other activities in schools that receive federal funds. These policies, developed by the school districts, will specifically address discrimination against pregnant and parenting students, a student's right to attend classes and their participation in extracurricular activities.

School Safety

The executive budget proposes that every school must define the roles and areas of responsibility of school personnel, security personnel and law enforcement in response to student misconduct that violates the code of conduct. A school district or charter school that has a contract with or otherwise retains law enforcement or public or private security personnel, including resource officers, shall establish a written contract or MOU that defines the relationships between the school personnel and students. These contracts must be consistent with the code of conduct and clearly delegate the role of school discipline to the school administrator. Such contract or MOU shall be published as part of the district safety plan.

School Bus Stop-Arm Cameras

The executive budget authorizes school districts to enter into agreements with third parties to install or operate school bus stop-arm cameras and increases fines for passing a stopped school bus.

Non-Public School Aid Increase

The executive budget provides \$194.1 million to non-public schools. This figure represents over a 3.6 percent increase over last year's allocation. The executive budget also increases a reimbursement program for STEM instruction to \$20 million and provides \$25 million in capital for security of non-public schools and community centers.

REVENUE

Avoiding Large, Unexpected Shifts in the Equalization Rate

The executive budget proposes technical fixes and additional tools to school districts and municipalities to avoid large, unexpected tax shifts due to equalization rate changes by spreading rate changes over three or five years.

Extending the Surcharge on High Income Earners

The executive budget proposes the extension of the surcharge on high income earners for an additional five years until 2024. This extension would generate \$771 million in SFY 2020, \$3.6 billion in SFY 2021, \$4.8 billion in SFY 2022 and \$5.5 billion in SFY 2023.

Carried Interest Loophole

The executive budget proposes to treat carried interest, a practice of hedge fund managers and private equity investors, as ordinary income for New York State tax purposes and would impose a fairness fee to eliminate any benefit from federal preferential tax treatment. This would only happen if identical legislation was enacted in several bordering states. The Division of the Budget did not score this provision. Unknown fiscal amount.

Legalize and Decriminalize Recreational Marijuana Use

The executive budget proposes, on April 1, 2020, to have a marijuana control law in place that would generate over \$400 million in taxes between 2021-2024.

Tax on Internet Purchases

The executive budget would impose an internet fairness conformity tax by requiring on-line marketplace providers to collect sales tax on taxable sales of tangible personal property by third-party vendors. The Division of the Budget scored this provision and estimates it will generate \$125 million in SFY 20 and \$250 million annually thereafter.

HIGHER EDUCATION

SUNY State-Operated Campuses

The executive budget proposal provides flat funding of \$730 million for SUNY state-operated campuses.

SUNY Capital Funding

The executive budget provides \$650 million in capital funding for state-operated campuses. \$37.6 million in funding is also allocated for SUNY Community Colleges.

SUNY Community College Base Aid

The executive budget maintains the state base aid per FTE student. However, the overall base aid amount is reduced by approximately \$11.7 million due to a reduction in enrollment. Rental aid for leased space is maintained at last year's level for a total of \$11.6 million. Graduate Achievement and Placement (GAP) program funding, which was \$1.5 million last year, is completely eliminated in this year's proposal.

Funding for high-need programs (\$1.69 million), contract courses (\$1.88 million) and low enrollment colleges (\$940,000) are maintained at last year's levels. Funding for childcare centers is reduced by \$1.1 million for a total of \$1 million. The executive budget provides \$3 million in funding for the SUNY Apprenticeship Program.

SUNY Family Empowerment Community College Pilot Program

The executive budget includes a new \$3 million appropriation to establish the family empowerment community college pilot program. The program would provide a comprehensive system of supports, including priority on-campus childcare for single parents with accelerated study in associate program practices. Funding will be distributed pursuant to a plan approved by the Chancellor. According to material accompanying the budget, this program will support 400 parents per year for three years.

SUNY Faculty-Diversity

While the State of the State book noted that the state would propose funding to hire 1,000 new faculty over 10 years, with the goal of addressing faculty diversity, funding was not included in the budget for this initiative.

Educational Opportunity Program (EOP)

The executive budget provides \$26.8 million in funding for this program. This reflects a \$5.3 million reduction from last year's funding level.

Educational Opportunity Centers (EOCs) and ATTAIN Labs

Funding for these programs is reduced by \$7 million for a total of \$55 million.

SUNY Hospitals

State Subsidy

The executive budget eliminates the state subsidy for the SUNY hospitals.

Disproportionate Share Hospital (DSH)

The executive budget provides \$60 million in additional DSH support for the three SUNY hospitals (Downstate, Upstate and Stony Brook). DSH payments are provided to offset the costs associated with uncompensated care provided by the hospitals.

Capital Funds

The executive budget includes \$100 million (\$50 million for Upstate and \$50 Million for Stony Brook) to provide funding for alterations, improvements, services and expenses the SUNY hospitals incurred before April 1, 2019.

SUNY Set-Aside Funding

The executive budget continues to set aside \$18 million in state aid to be allocated to state-operated campuses per an approved plan of the Board of Trustees. In prior years, this money was set aside for performance-based initiatives. The budget language states that a portion of these funds are to be used to support new classroom faculty.

SUNY Open Educational Resources (OER)

Funding in the amount of \$4 million is set-aside from the System Administration appropriation to expand the Open Educational Resource Initiative to help reduce and/or eliminate the costs of textbooks for students. This funding is targeted towards high-enrollment courses, including general education courses.

CUNY Senior College State Funding

The executive budget proposal provides flat funding of \$547 million for CUNY Senior Colleges. Fringe benefits are increased by \$47 million.

CUNY Capital Funding

The executive budget provides \$284 million for CUNY Senior Colleges and provides \$68.2 million for CUNY Community Colleges.

CUNY MTA Commuter Mobility Tax

The executive budget provides flat funding of \$5.5 million for the MTA Commuter Mobility Tax.

CUNY Set-Aside Funding

The executive budget continues to set aside \$12 million in state aid to institutions to be allocated to senior colleges per an approved plan of the Board of Trustees. In prior years, this money was set aside for performance-based initiatives. The budget language states that a portion of these funds may be used to support new classroom faculty.

CUNY Open Educational Resources (OER)

Funding in the amount of \$4 million within the CUNY Senior College Operating Account is set aside to expand the Open Educational Resource Initiative to help reduce and/or eliminate the costs of textbooks for students. This funding is targeted towards high-enrollment courses, including general education courses.

CUNY Community College Base Aid

The executive budget maintains the state base aid per FTE student. However, the overall base aid amount is reduced by approximately \$15.7 million due to a reduction in FTE's. Rental aid for leased space is maintained at last year's funding level of \$8.9 million. Funding for contract courses/workforce development is maintained at last year's level of \$1.9 million. Funding for ASAP is eliminated in the executive budget proposal. Funding for childcare centers is reduced by \$902,000, for a total of \$813,000.

CUNY Family Empowerment Community College Pilot Program

The executive budget includes a new \$2 million appropriation to establish the family empowerment community college pilot program. The program provides a comprehensive system of supports, including priority on-campus childcare for single parents with accelerated study in associate program practices. Funding will be distributed per a plan approved by the Chancellor. According to material accompanying the budget, this program will support 400 parents per year for three years.

Search for Education, Elevation and Knowledge (SEEK)

The executive budget provides \$23.3 million in SEEK funding. This reflects a reduction of \$4.6 million.

CUNY Pipeline

Funding for the CUNY Pipeline at the Graduate Center has been eliminated.

CUNY School of Labor and Urban Studies (Formerly the Joseph Murphy Institute)

The executive budget provides \$2 million in funding – a reduction of \$1.5 million from last year's enacted budget.

Tuition Assistance Program (TAP)

The Executive Budget decreases funding for this program by approximately \$23 million for a total of \$1.09 billion. This funding allocation includes the Excelsior Scholarship Program (up to \$118.6 million), the DREAM Act and the Enhanced Tuition Award Program (up to \$7.2 million).

Excelsior Scholarship Program

The executive budget includes funding (up to \$119 million) for the third and final year of a three-year phase-in of the program. The program will be expanded to include families making up to \$125,000.

Enhanced Tuition Assistance Program (E-TAP)

Funding of up to \$7.2 million is included in the budget for the E-TAP, the third and final year of a three-year phase-in.

Tuition Assistance to Part-Time Students

Funding for this program is maintained at last year's level of \$14.4 million.

Part-Time Scholarship Program

The executive budget maintains funding at \$3.1 million to support the Part-Time Scholarship Program established in last year's budget.

BUNDY Aid

The executive budget maintains funding for this program at \$35 million.

Higher Education Opportunity Programs (HEOP)

The executive budget reduces funding for HEOP by \$5.9 million for a total of \$29.6 million.

Liberty Partnership Program

The executive budget reduces funding for this program by \$3 million for a total of \$15.3 million.

C-STEP

C-STEP funding is reduced by \$1.9 million for a total of \$9.9 million.

STEP

The executive budget reduces STEP funding by \$2.6 million for a total of \$13.1 million.

Jose R. Peralta New York State DREAM Act

The executive budget includes the Jose R. Peralta New York State DREAM Act, which provides undocumented immigrant students with access to state financial assistance to help cover tuition costs for higher education.

For-Profit College Accountability

Legislation accompanying the budget includes provisions to enact the For-Profit College Accountability Act. For-profit colleges would be required to report their funding sources and demonstrate that they are not receiving more than 80 percent of their revenue from taxpayers, including federal grants, loans and the Tuition Assistance Program (TAP). These colleges would also be required to report on resources spent on salaries of college leadership. School leadership would also be prohibited from serving on an accreditation board of an organization responsible for oversight of the for-profit college.

Student Loan Borrowers

The executive budget includes language to license and regulate student loan servicers.

We Teach NY

The executive budget allocates \$3 million for the We Teach NY Program to address the teacher shortage in identified subject areas. Funding will be prioritized to: recruit teacher candidates as incoming college freshmen in hard to staff subject areas; award funds to school districts partnering with a higher education institution; require that the school districts provide mentors and paid internship opportunities for teaching candidates; and require that teachers will be guaranteed a job opportunity at end of the program if they meet all of the requirements.

Human Rights and Public Educational Institutions

The executive budget includes language to extend the human rights law's anti-discrimination provisions to public school, BOCES, public colleges and public universities.

Labor

Protecting Public Employees from Union Busting Activities and Protecting Workers' Rights

The 2019-20 New York State Executive Budget proposal includes language to prohibit the disclosure of personal information such as email addresses and phone numbers by public employers for all public sector employees, including school district and municipal employees. Similar language was enacted last year, pursuant to an executive order, that covered all state employees. The executive budget language will protect union members from organizations who seek to undermine unions following the Supreme Court's Janus decision. Since the case was decided last year, these organizations have been trying to obtain personal information through freedom of information policies in an attempt to disseminate propaganda designed to erode union membership.

In addition, the executive budget includes provisions to increase penalties for wage theft by employers, ensuring equal pay for protected classes and reducing existing penalties for part-time work when collecting unemployment benefits.

Government Reform

Ethics and Elections

The executive budget proposal puts forth various changes to state ethics and election laws. Several of these proposed changes to the election law recently passed both houses of the Legislature in advance of the release of the executive budget proposal. The governor's package of the proposed reforms includes:

- Requiring candidates for state office to provide up to ten years of past federal and state tax returns to the State Board of Elections for public disclosure;
- Requiring enhanced disclosure of campaign contributions and reducing campaign contribution limits;
- Enacting a voluntary public campaign finance system;

- Establishing early voting provisions to allow voting to take place up to twelve days prior to an election;
- Unifying the federal and state primary election date to the fourth Tuesday in June and making additional adjustments to the state’s election calendar;
- Closing the “LLC Loophole” for campaign donations;
- Mandating that all employers provide their employees up to three hours of paid time off to vote;
- Expanding polling hours in upstate districts for primary elections;
- Allowing 16 and 17 year old citizens to pre-register to vote;
- Allowing voters to remain registered to vote as long as they remain a resident of New York State;
- Authorizing the use of electronic poll books;
- Creating automatic voter registration upon receiving a New York State driver’s license;
- Allowing for same day voter registration, expanded voter registration opportunities, no excuse absentee voting and online voter registration;
- Creating new financial disclosure requirements for local elected officials with salaries over \$50,000; and
- Amending the Freedom of Information Law (FOIL) to make proposed terms of any new collective bargaining agreement open to the public before being voted on by an employee organization.

HEALTH AND SAFETY

Standard Part B Reimbursement and Income Related Monthly Adjustment Amounts (IRMAA) for NYSHIP Retirees

The 2019-20 New York State Executive Budget proposal amends Section 167-a of the civil service law to do the following:

- Increase the Medicare Part B Reimbursement Cap. Under current law, the State provides full reimbursement of the Medicare Part B standard premium (\$134.00 per month in 2018, increased to \$135.50 in 2019) to all eligible state retirees. The executive budget seeks to impose a flat dollar reimbursement rate at \$135.50.
- End the Income Related Medicare Adjustment Amounts (IRMAA) Reimbursement. The governor's proposal would amend the civil service law to cease reimbursement of additional Income Related Medicare Adjustment Amount premiums paid by higher-income state retirees retroactive to January 1, 2019.

NYSHIP Retiree Health Insurance Premium Sliding Scale

The executive budget proposal establishes a graduated health insurance reimbursement system for civilian state employees retiring on or after April 1, 2019, whereby retirees would contribute a greater share toward health insurance costs. The executive budget proposal does not apply to members of the NYS Local Police and Fire Retirement System, members of the uniformed personnel in the Department of Corrections and Community Supervision, and/or state employees who are determined to have retired with an ordinary, accidental or performance of duty disability retirement.

Medicaid

The executive budget continues its Medicaid spending cap with an increase over SFY 2018-19. Medicaid spending under the Global Cap (SFY 2019) equals \$19.4 billion (an increase of \$586 million over SFY 2018).

COLA

The executive budget discontinues the Department of Health COLA payments, saving \$19.9 million in SFY 2019 and \$45.4 million on an annualized basis.

Universal Health Coverage

The executive budget establishes a commission to evaluate options for achieving universal access to high-quality, affordable health care in New York. The commissioner of the Department of Health and the superintendent of the Department of Financial Services will appoint independent health policy and insurance experts to the commission. The commission will consult with the Legislature and stakeholder groups and convene at least one meeting for members of the public to review and discuss options for achieving universal access to care and provide a report to the governor by December 1, 2019.

Safe Staffing and Patient Safety

The executive budget will require the Department of Health to conduct a study, which examines how staffing enhancements and other initiatives can be used to improve patient safety and the quality of health care service delivery. The study will also analyze the range of potential fiscal impacts of various patient safety and staffing enhancement strategies. The department will engage industry stakeholders and other experts to evaluate the impact of staffing on patient safety and the quality of health care delivery.

Codify the Affordable Care Act

The executive budget would protect the health of New Yorkers by ensuring access to affordable, high quality health insurance coverage. Among the provisions that would be part of this implementation are the following:

- Requiring health insurance coverage newly issued to Employer Welfare Funds for medical, surgical or hospital care benefits in the event of sickness or injury after June 1, 2019, to be provided under a group comprehensive type health insurance policy or HMO to comply with the requirements of the insurance law. These changes may impact the Benefit Trust Funds.
- Amending the current state definition of “small group employer” from those entities with 1-50 employees to those with 1-100.

Women’s Issues

Comprehensive Contraceptive Coverage Act

The executive budget enacts the Comprehensive Contraception Coverage Act (CCCA), requiring health insurance policies to include coverage of all FDA-approved contraceptive drugs, devices and products, as well as voluntary sterilization procedures, contraceptive education and counseling and

related follow up services. These provisions further prohibit a health insurance policy from imposing any cost-sharing requirements or other restrictions or delays with respect to this coverage.

Reproductive Health Act

The executive budget codifies the *Roe v. Wade* decision and subsequent rulings into state law to secure a women's access to reproductive health options. The legislation safeguards the right of women to make personal health care decisions to protect their health, and ensures that health care professionals can provide these crucial services without fear of criminal penalty.

Maternal Mortality Review Board

The executive budget includes the creation of a board of experts within the Department of Health to implement an enhanced multidisciplinary analysis to review each and every maternal death in New York State and to develop actionable recommendations to improve care and management.

Gender Pay Gap

The executive budget includes provisions to require equal pay for equal work based on race, ethnicity, gender and other protected classes and expand equal pay for essentially similar work.

Harassment in the Workplace

The executive budget strengthens protections against harassment in the workplace by protecting employee rights to pursue complaints, require all employers to post a sexual harassment prevention poster in the workplace and clarify that harassment is not limited to actions that are severe or pervasive.

Lead Paint

The executive budget includes provisions to protect children from exposure to lead paint by lowering acceptable blood levels. Specifically these provisions would lower the blood lead level that constitutes an "elevated lead level" from 10 to five micrograms per deciliter (ug/dL). In addition, the definition is amended to clarify the statutory authorization for the department of Health to establish levels lower than five micrograms per deciliter, pursuant to rule or regulation.

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