



**Department of
Civil Service**

ANDREW M. CUOMO
Governor

REBECCA A. CORSO
Acting Commissioner

July 29, 2021

Andrea Inman
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street – 11th Floor
Albany, NY 12236-0001

Re: Audit Report-2019-S-23, Issued January 2021

Dear Ms. Inman:

The Department of Civil Service (DCS) is providing the enclosed Corrective Action Plan related to Audit Report 2019-S-23 titled "Department of Civil Service – *New York State Health Insurance Program: Empire Plan Members with Dual Family Coverage.*" The Department appreciates your time and efforts in conducting this audit and has worked diligently to address the Audit Report's recommendations.

If you have additional questions or comments, please contact Leif Engstrom at Leif.Engstrom@cs.ny.gov.

Sincerely,

A handwritten signature in black ink that reads "James DeWan". The signature is written in a cursive, flowing style.

James DeWan
Director
Employee Benefits Division

Enclosure

cc: Rebecca Corso
Jian Paolucci
Paul Alois

Cynthia Herubin
Gary Czosnykowski
Leif Engstrom

Corrective Action Plan for Audit Report 2019-S-23, titled: New York State Health Insurance Program: Empire Plan Members with Dual Family Coverage

Implementation Plan:

OSC Recommendation (1): Evaluate the feasibility of more effective information sharing with participating organizations regarding dual Family coverage, consistent with applicable laws and regulations.

During the audit, the Department applied significant effort in evaluating the legality of sharing the protected health information (PHI) of one employer's enrollees with another unrelated employer. Consistent with the Department's conversations with OSC during the audit, the Department has concluded that sharing such PHI would violate provisions of the federal Health Insurance Portability and Accountability Act (HIPAA). As demonstrated in the response to Recommendation 2, the Department is now sharing more effective non-PHI information. The Department considers this recommendation implemented.

Implementation Date: Completed during audit

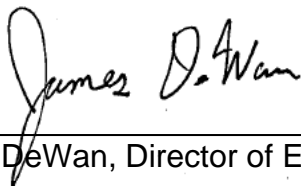
Division Responsible for Implementation: Employee Benefits Division and Counsel's Office

OSC Recommendation (2): Work with participating organizations to educate members on the cost of dual Family coverage, including less costly alternatives such as buyback and opt-out programs.

The Department agrees with this recommendation and conducted outreach to its participating employers to inform them of this issue during webinars that were conducted the first week of December 2020. Information about the issue and potential alternatives will continue to be included in the Department's extensive training programs for participating employers. The Department considers this recommendation implemented.

Implementation Date: Completed in December 2020

Division Responsible for Implementation: Employee Benefits Division



James DeWan, Director of Employee Benefits

July 29, 2021