



**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 – 11<sup>th</sup> 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](mailto:Leif.Engstrom@cs.ny.gov).

Sincerely,

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

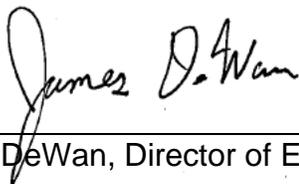
Division Responsible for Implementation: Employee Benefits Division and Counsel's Office

**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



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James DeWan, Director of Employee Benefits

July 29, 2021