

EXECUTIVE ORDER NO. 72

October 6, 2005

EQUAL ACCESS TO HEALTH INSURANCE COVERAGE  
FOR THE DOMESTIC PARTNERS OF EMPLOYEES  
OF CITY VENDORS AND OTHER BUSINESSES

WHEREAS, the City of New York is strongly committed to identifying and creating opportunities to make health insurance coverage available on an equal basis to all New Yorkers and their families, including those families with same- and opposite-sex domestic partners; and

WHEREAS, the City has been a leader among employers in New York City by providing health insurance coverage to its employees and retirees, as well as their families, including coverage for the more than 6,000 such families with domestic partners; and

WHEREAS, vendors play a vital role in delivering goods and services to the City, and it is beneficial for all New Yorkers that the City use appropriate and legal mechanisms to actively facilitate equal access to health insurance for the spouses, domestic partners and dependents of its vendors' employees; and

WHEREAS, historically, the health insurance market in New York City has only offered plans that cover domestic partners of employees of businesses with more than fifty employees; and

WHEREAS, until now, small businesses with two to fifty employees, including some of the City's vendors, were severely disadvantaged because health insurance plans covering domestic partners were generally not available to them as part of the small group market; and

WHEREAS, the City of New York has worked to open the small group market for domestic partner health insurance coverage by securing the commitments from several leading health insurance companies, which will soon begin offering this coverage;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Definitions. The term “vendor” shall mean any entity with two or more employees that does business with any City agency by:

(a) providing construction or services to the City in an amount exceeding \$100,000 in cumulative annual total value, as a party/signatory to a contract or contracts with City agencies for that purpose; or

(b) providing goods to the City under any contract or contracts with a City agency in an amount exceeding \$100,000 in cumulative annual total value, where such entity has so provided goods each year over the course of the most recent three fiscal years, except where such contract or contracts was awarded pursuant to Section 314 of the Charter.

§ 2. There is established within the City of New York a program to facilitate equal access to health insurance coverage for the domestic partners of employees of City vendors, and to actively promote access to such insurance coverage for all businesses. The program shall be implemented by the Mayor’s Office of Health Insurance Access (“MOHIA”), the Mayor’s Office of Contract Services (“MOCS”), the Mayor’s Office of Operations, and the Department of Small Business Services (“DSBS”).

§ 3. MOHIA shall disseminate information, in print and electronic format, to all City vendors explaining the intent, goals and expectations set forth in this Executive Order. Such information shall expressly detail the benefits and importance of vendors making health insurance coverage available to employees’ spouses, domestic partners and dependents, and list those insurance companies offering domestic partner coverage.

§ 4. MOCS shall determine whether City vendors with newly awarded or renewed contracts offer health insurance to their employees and, if so, whether they make such coverage available to employee spouses and domestic partners on an equal basis. MOHIA shall make publicly available all relevant data developed by MOCS on individual vendor employee health insurance practices.

§ 5. MOHIA, in conjunction with DSBS, also shall make available information, in print and electronic format, for dissemination to other businesses in the City, regardless of vendor status, which explains the reasons they should provide health insurance coverage equally to their employee’s spouses, domestic partners and dependents, and lists those insurance companies offering health insurance plans that offer domestic partner coverage. DSBS shall also distribute this information at its Business Solution Centers and through other entities that assist businesses.

§ 6. The Mayor’s Office of Operations shall take appropriate steps to notify not-for-profit vendors of their option to obtain domestic partner coverage through the City’s Central Insurance Program, which currently makes available health insurance coverage to employees of eligible and participating not-for-profit City vendors, and to their spouses, domestic partners and dependents.

§ 7. MOHIA shall encourage all insurance companies providing coverage in the small group market to provide domestic partner coverage and shall work with the New York State Insurance Department to promote the availability of same- and opposite-sex domestic partner coverage in the large and small group insurance markets in New York City. MOHIA shall monitor and periodically publish any changes in status of insurance companies offering such coverage in New York City. MOHIA shall also advise on the need for any other regulatory or legislative changes as appropriate.

§ 8. This order shall be implemented in a manner consistent with all applicable laws and shall take effect in 120 days.

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Michael R. Bloomberg  
Mayor