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New York State Senate | 28th District

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Message from Liz...

On November 12th I joined my Senate and Assembly Colleagues at a hearing on the 2020-2024 MTA capital plan. A summary of the Capital Plan was released to the public and approved by the MTA board in September, and the final plan must be approved by the Capital Plan Review Board by December 30th. The hearing was an important opportunity for the legislature to push for more transparency about how capital spending decisions are made, what measures are being taken to control costs, and when projects in the Capital Plan will actually be completed.

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The proposed Capital Plan calls for spending \$51.5 billion on a host of transit improvements, including signal upgrades, creating more accessible stations, extending the 2nd Avenue subway to 125th Street, subway track rehabilitation, the purchase of new subway cars and buses, and a host of other investments in the MTA, New York City Transit, the LIRR and Metro North. Among the projects that impact my Senate District are installation of communications-based train control (CBTC) on the Lexington line and making the 86th Street 4,5,6 station fully accessible. A full copy of the report is available here: <https://new.mta.info/document/10511>

While the level of investment in the MTA is impressive, past experience shows that inclusion in the Capital Plan is far from a guarantee that a project will actually be completed in the appropriate time frame. A case in point is accessibility upgrades for the 68th Street station, which were originally included in the 2010-2014 Capital Plan, yet construction has not even started due to a variety of complicating factors. And bigger projects such as the 2nd Avenue subway and the interminable East Side Access seem to regularly face delays measured in decades rather than years.

Advocates have rightly criticized the planning process for including a list of projects but no timetable for their completion. The legislature needs to use its oversight role to insist on improved transparency of the process, including both a detailed timetable for each phase of a project, construction cost targets, and clear reporting to the public of progress toward completion.

MTA Capital Projects are also notoriously expensive when compared to costs for other major transit systems, and the MTA has identified a number of cost-control measures, including combining bids for designing and construction, performance-based incentives, and reducing red tape for contractors. But the capital plan does not seem to reflect savings from these efforts. There need to be specific goals

for these measures in order to evaluate how effective they are at controlling costs, as it is critical that we get more bang for our buck if we are going to have the resources necessary to address the MTA's many infrastructure needs.

The state also needs to be a more reliable partner in providing funding to the MTA. New revenue from Central Business District tolling and taxes on high-end real estate sales will provide \$25 billion toward the capital plan, but the rest must come from Federal, state and local funding or borrowing. The state has committed to \$3 billion, but the governor has historically been very slow in releasing promised resources to the MTA, which is currently still waiting on \$7.3 billion in state funding for the 2015-2019 Capital Plan. And the continued reliance on significant borrowing is concerning as it means larger and larger debt payments in the future.

I do believe that current MTA leadership has begun the process of reversing declines in subway and bus reliability, but these gains are tenuous, and investment in addressing the serious infrastructure needs of our transit system is critical. I take seriously the oversight role that the legislature must play in making sure we have answers to questions about progress on projects, how we can get things done more efficiently, and how we can ensure adequate funding for capital needs.

P.S. - Thanksgiving is coming up, a time when think about being thankful for so many things. It is also a good time to remember our poorest neighbors, those without adequate money for nutritious food or housing. Many wonderful charities in our City are in search of donations and volunteers at this time of year. Please consider helping an anti-hunger/emergency food provider in honor of Thanksgiving. You can find opportunities to help at <https://www.foodbanknyc.org/volunteer/> or local meal providers and food pantries.

POLICY SPOTLIGHT

Out-of-Network Emergency Charges

I am happy to report that last month Governor Cuomo signed my legislation (S.3171/A.264B) protecting patients from excessive out-of-network hospital emergency charges, including hospital inpatient services that follow an emergency room visit. The new law requires health insurance companies to ensure that when enrollees receive care from a non-participating provider, the patient will not incur greater out-of-pocket costs than they would have incurred from a participating provider.

The bill also requires that hospital charges for emergency services are subject to an independent dispute resolution process that was established by New York's Surprise Medical Bill law, originally enacted in 2014, which was the first of its kind in the nation to comprehensively protect consumers from surprise bills for out-of-network costs.

When New Yorkers go to the hospital in an emergency, they can't be expected to make sure every procedure is delivered by an in-network provider. This new law will protect New York families from outrageous surprise medical bills and help keep overall medical costs down. I thank Assembly Member Cahill for carrying this bill in the Assembly, and Governor Cuomo for signing it.

COMMUNITY SPOTLIGHT

Roundtable for Boomers and Seniors December 12th:

The Roundtable for Boomers & Seniors provides an opportunity for constituents to come together to explore life issues that are relevant across the age span. At each session, attendees hear from and engage with professionals who are knowledgeable on topics that are of most concern to the growing population of older adults in New York City. Over the course of five sessions, the Roundtable looks at a specific issue from different perspectives each month.

This year's series will focus on Living Well and Aging Well in Your Community. The second roundtable will take place Thursday, December 12 from 8:30 to 10:30 a.m. at Lenox Hill Neighborhood House, 331 East 70th Street, and the topic will be Living With Hearing Loss. 33% of individuals 65 and older and 66% of those 75 and older have hearing loss. Delaying treatment puts older adults at greater risk of dementia, falls and social isolation. Learn about the emotional impact of hearing loss, technologies to improve your hearing, how you can advocate for yourself, and enjoy the New York City's cultural life despite hearing loss.

Speakers will include Katherine Bouton, President, Hearing Loss Association of America – New York City Chapter; Carol Karasick, Secretary, Hearing Loss Association of America - New York City Chapter; Carolyn Stern, Manager, Center for Hearing and Communication; and Jeff Wax, LCSW-R, Director, Baker Family Emotional Health and Wellness Center, Center for Hearing Loss and Communication.

This event will provide communication access services including American Sign Language (ASL) Interpreting and Communication Access Real-Time Translation (CART). If you plan to use American Sign Language Interpreting at this event, please call our office at 212-490-9535. For live text captioning through Communication Access Real-Time Translation, please direct your attention toward the projector screen on stage.

Other sessions in this year's series will take place on March 5th 2020, April 2nd 2020 and May 7th 2020.

RSVP online at www.tinyurl.com/SeniorRoundtable12-12-19, call (212) 490-9535, or email lkrueger@nysenate.gov.

Workshop on Choosing a High School November 18th:

On Monday, November 18th, Community Education Council District 2 and the NYC Department of Education are hosting a Workshop on How to Decide Which High Schools Are Good Fits. The workshop is aimed at families of 8th graders, and 7th grade families are also welcome to attend. Find out what factors to consider, how to narrow down your choices, and how to select appropriate schools. The event will take place from 6:00 p.m. to 8:00 p.m. at PS 397 Spruce Street School Spruce Street in lower Manhattan. Register at <https://tinyurl.com/HSWorkshop2019>. For questions contact Shino Tanikawa at stanikawa@cecd2.net.

West Side Tenants' Conference December 7th:

The 14th Annual West Side Tenants' Conference will take place on Saturday December 7th from 9:30 a.m. to 4 p.m. at the Fordham University School of Law, 150 West 62nd Street. Public Advocate Jumaane Williams will deliver the keynote address and there will be workshops on finding affordable

housing, right to counsel for tenants, housing benefits for seniors, skills for organizing, and more. There will also be a free legal advice clinic. The event is free and breakfast and lunch will be served. The Conference is organized by Housing Conservation Coordinators in coalition with local community groups, elected officials, and tenant advocates. To RSVP call 845-367-7003 or email jfurlong@hcc-nyc.org.

Open Enrollment for Health Care Marketplace Coverage:

The Open Enrollment Period for the Health Care Marketplace in New York will run from November 1, 2019 to January 31, 2020. As was the case for the past two years, the Trump administration decided to significantly shorten the Open Enrollment Period, however New York has its own marketplace, and therefore is able to determine the length of its Open Enrollment Period. If you want to enroll for health insurance through the individual marketplace for coverage in 2020, the upcoming Open Enrollment Period will run from November 1, 2019 to January 31, 2020. It is also important for you to know that eligible policy holders will still receive cost-sharing subsidies to help make the cost of health insurance more affordable. Please note that if you already have a health insurance policy through the individual marketplace and want to make a change, you can do so on or after November 16th.

2020 health insurance plan details are now available. If you would like to consult with a trained representative at no charge prior to selecting your health insurance plan, Navigator Sites are an excellent resource. The following is the contact information for a local Navigator Site:

Community Service Society of New York
633 Third Avenue, 10th Floor
New York, NY 10017
Phone: 888-614-5400

Please make sure to call and schedule an appointment for November 1st through January 31st to ensure health care coverage in 2020. You will need to sign up for a health insurance policy by December 15th in order for it to take effect January 1, 2020.

Before selecting your plan, it is important to check the following:

- Will your primary physician, OB/GYN, and any specialists accept the insurance? This is important to verify, even if you are not changing plans. Health insurance companies are using narrower provider networks than before, which may cause reductions to their list of in-network providers. Please note that a new search tool has been added to the New York State of Health marketplace website: <https://pndslookup.health.ny.gov/>. This tool allows you to search by medical provider to see what health insurance plans s/he accepts. It also allows you to search by health plan to see which medical providers are in-network.
- Will any regularly prescribed medications be covered under the plan? Each health insurance plan has a list of pharmaceuticals that are covered. If you are concerned about prescriptions being covered, this is important to verify before you enroll in the plan. Navigator Site representatives can provide assistance with this.
- Which plan will be the most affordable while providing the amount of coverage you need? Research has shown that many people do not take the time to comparison shop before selecting a health insurance policy. It is worth taking the time to consider your health care needs and assess which plan will give you the greatest savings based on premiums charged, co-pays, and deductibles. Navigator Site representatives can also provide assistance with doing a comparison of plan costs.

Medicare Part D and Medicare Advantage Plan Open Enrollment:

If you wish to change your Medicare Part D or Advantage Plan coverage, or switch from an Original Medicare plan to a Medicare Advantage plan (or from a Medicare Advantage plan to an Original Medicare plan), you need to do so during the open enrollment period between October 15 and December 7, 2019. Changes made to your Medicare coverage during the Open Enrollment period will take effect January 1, 2020.

The Legal Advocacy Department of Lenox Hill Neighborhood House is scheduling individual counseling appointments to help you select the best Medicare Advantage or Part D plan for you. For more information or to sign up for an appointment please call Dani Tishkoff Chidester at 212-218-0449. You can also receive assistance through the Health Insurance Information, Counseling and Assistance Program (HIICAP) by calling (212) 602-4180. There is also an online search tool to help you identify the best plan for you at <https://www.medicare.gov/find-a-plan/questions/home.aspx>.

“Lookback Window” for Child Sexual Abuse Claims:

Survivors of past child sexual abuse now have the opportunity to seek justice for allegations that had previously been time-barred. The Child Victims Act (S.2440) allows for lawsuits to be initiated against abusers and the institutions that let the abuse happen. The window will remain open until August 13th, 2020.

Under the provisions of the Child Victims Act:

- individuals whose 23rd birthday fell before February 14, 2019, can take advantage of the one-year window to file a civil case, regardless of their current age;
- Those who were under 23 on February 14, 2019 can bring civil cases up to age 55;
- Those who were under 23 on February 14, 2019 can bring criminal charges up to age 28 for felonies and 25 for misdemeanors.

For more information on your rights under the Child Victims Act, visit <https://www.safehorizon.org/get-help/child-victims-act/#cva-frequently-asked-questions/>.

Disability and Aging Rights Project at Mobilization for Justice:

Mobilization for Justice offers legal advice and counsel on a number of issues facing people with disabilities and older adults through their Disability and Aging Rights Project. Here are details on their intake hotlines:

Access-a-Ride: Help with challenging denials or termination of service.

Intake Line: 888-510-2272 Tuesday 10am-5pm.

Adult Homes and Assisted Living: Advocacy, training and representation for residents.

Intake Line: 877-417-2427, Monday-Friday 10am-5pm.

Children with Mental Health Disabilities: legal assistance to low-income families.

Intake Line: 212-417-3786, Monday and Thursday 9am-4pm.

Adults with Mental Health Disabilities: advice and representation on housing, public benefits, disability rights, consumer and other matters.

Intake Line: 212-417-3830 Monday, Tuesday and Thursday, 10am-5pm.

Nursing Home Residents: Advice and representation on issues such as involuntary discharges, improper discharge planning, reasonable accommodation and day pass disputes.

Intake Line: 855-444-6477 Tuesday 10am-5pm.

Legal Advocacy Clinics At Lenox Hill Neighborhood House:

The Lenox Hill Neighborhood House Legal Advocacy Center offers assistance on a number of different issues. Here is a list of their ongoing programs and clinics:

- SNAP (formerly Food Stamps) Clinics:

- Wednesdays from 10am to 1pm at Lenox Hill Neighborhood House, 331 East 70th Street. Arrive by Noon.

- November 15 and 29 from 10am to 1pm at Lenox Hill Neighborhood House Casa Mutua at 159 East 102nd Street. Arrive by Noon.

First come, first served. Bring proof of identity, income information, utility bill, proof of housing costs, information on any dependents, proof of immigration status for non-citizens, and if you are 60 or over or on SSI/SSD, information on medical costs. For more information, call 212-218-0503, option 2.

- Tenants Rights Advice Clinic: Walk-in clinic, now at 2 locations.

- December 5 from 10am to 1pm at 331 East 70th Street. First come-first Served, arrive by Noon.

- November 20 at East Harlem Action Center, 158 East 115th Street, from 2pm to 4 pm. First come-first Served, arrive by 4 pm.

- SCRIE Clinics: Walk-in Clinic. The next clinics will take place December 10 from 10:00 a.m to 1:00 p.m at Lenox Hill Neighborhood House, 331 East 70th Street. You must arrive before 11:30 to ensure you can be seen. If you are 62 years or older, live in a rent regulated apartment and have an annual household income of \$50,000 or less you may be eligible for the Rent Freeze Program. Find out if you are eligible and get assistance applying or recertifying for SCRIE.

- Health Care Access Project: call 212-218-0503. Assistance with Medicaid, Medicare Savings Program Medicare Part D, Epic and health insurance through the New York State of Health Marketplace.

VOLS Legal Clinics for Seniors:

The VOLS Elderly Project staff and pro bono attorneys provide free legal advice, information, document drafting, and other brief services to low-income Manhattan residents aged 60 and over, and to the social workers and advocates who assist them. Their schedule includes:

Friday November 8th - 2:00 pm, Legal Clinic,
Burden Center for the Aging, 415 East 73rd Street (b/t 1st and York)

Friday November 15th - 10:00 am, Legal Clinic,
Stanley M. Isaacs Neighborhood Center, 415 East 93rd Street

Monday November 25th - 10:00 am, Legal Clinic,
Encore Community Services Center, 239 West 49th Street (b/t Broadway and 8th Ave.)

Affordable Housing Opportunities in Manhattan:

The Carolina is now accepting applications for 399 affordable studio and 1-, 2- and 3- bedroom apartments newly constructed at 1465 Park Avenue and 1228 East 108th Street in the East Harlem neighborhood in Manhattan. Rents for these apartments range from \$680 to \$3,316 depending on income and unit size. Applicants must have incomes between \$25,269 and \$218,460 depending on unit and family size. In addition there are 2- and 3- bedroom units for families with incomes below \$25,602 up to \$39,720, depending on family size. Rents for these units will be 30 percent of family income. Asset limits also apply. Preference will be given to residents of Community Board 11 for 50% of units, mobility-impaired persons for 5% of units and visual- and/or hearing-impaired persons for 2% of units. A full description of the building and application process is available at <https://a806-housingconnect.nyc.gov/nyclottery/AdvertisementPdf/862.pdf>.

Households may elect to submit an application by one of two methods: EITHER online OR by mail. To submit your application online now, please visit NYC Housing Connect at www.nyc.gov/housingconnect and select "Apply for Housing." To request an application by mail, mail a self-addressed envelope to The Carolina / Triborough Finance New Station, PO Box 2010, New York, NY 10035.

Applications must be submitted online or postmarked by December 6, 2019. Applicants who submit more than one application may be disqualified.

Metrocard Bus and Van Schedule:

The MTA offers MetroCard-related services throughout New York City through mobile buses and vans. Buses provide a full range of services, including applying for or refilling a Reduced-Fare MetroCard, buying or refilling a regular MetroCard, or getting answers to a MetroCard-related question. Vans sell Unlimited Ride MetroCards and Pay-Per-Ride MetroCards, and they refill MetroCards and Reduced-Fare MetroCards. Buses and vans will be in my district on the following dates and locations:

November 20, 9 – 10:30 am, 79 Street & Third Avenue - Bus
November 20, 11 am - 1 pm, 79 Street & York Avenue – Bus
November 20, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus
November 21, 8:00 - 10:30 am, 47 Street & 2 Avenue – Van
November 21, 11:30 am - 2:00 pm, 28 Street & 2 Avenue – Van
November 26, 9 - 10:30 am, 92 Street & Lexington Avenue – Bus
November 26, 11:00 am - 12:30 pm., 86 Street & Lexington Avenue – Bus
November 26, 1:30 - 2:30 pm, 68 Street & Lexington Avenue – Bus
December 4, 9 - 10:30 am, 79 Street & Third Avenue – Bus
December 4, 11 am - 1 pm, 79 Street & York Avenue – Bus
December 4, 1:30 - 2:30 pm, 72 Street & York Avenue – Bus
December 5, 7 – 9 am, 90 Street and York Avenue - Van
December 5, 8:30 - 10:30 am, 47 Street & 2 Avenue – Van
December 5, 1:30 - 3:30 pm, 28 Street & 2 Avenue – Van
December 6, 9 - 10 am, 57 Street and 1 Avenue – Van
December 6, 10:30 - 11:30 am, 57 Street and 3 Avenue – Van
December 6, 12:30 - 2:00 pm, 68 Street and 1 Avenue – Van

The full mobile MetroCard schedule is available at <http://mta.info/metrocard/mms.htm>. Please note that MetroCard buses and vans do not take credit cards.

Heat Season Rules:

The City Housing Maintenance Code and State Multiple Dwelling Law require building owners to provide heat and hot water to all tenants. Building owners are required to provide hot water 365 days a year at a constant minimum temperature of 120 degrees Fahrenheit.

Between October 1st and May 31st, a period designated as "Heat Season," building owners are also required to provide tenants with heat under the following conditions:

- Between the hours of 6AM and 10PM if the outside temperature falls below 55 degrees, the inside temperature is required to be at least 68 degrees Fahrenheit.

- Between the hours of 10PM and 6AM the inside temperature is required to be at least 62 degrees Fahrenheit. Note that there is no longer any outside temperature requirement for night hours

Tenants who are cold in their apartments should first attempt to notify the building owner, managing agent or superintendent. If heat is not restored, the tenant should call the City's Citizen Service Center at 311. For the hearing-impaired, the TTY number is (212) 504-4115. The Center is open 24 hours a day, seven days a week.