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**THE SENATE
STATE OF NEW YORK**



JAMES N. TEDISCO
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July 10, 2019

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The Honorable Andrew M. Cuomo
Executive Chamber
State Capitol
Albany, NY 12224

Dear Governor Cuomo:

I am respectfully writing you again regarding the plight of more than 1,100 former dedicated health care professionals who worked for the now closed St. Clare's Hospital in Schenectady and have recently seen their pensions significantly reduced or outright eliminated. I saw your comments yesterday that you were unfamiliar with this situation and would look into it and wanted to take this opportunity to reach out again and bring you up to speed.

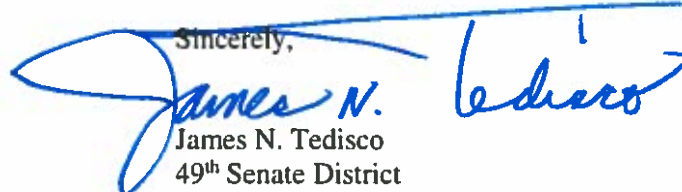
St. Clare's Hospital was closed 10 years ago by a requirement of the state's Berger Commission in its mission to right-size New York's health care facilities and its operations were absorbed by Ellis Medicine. At the time, the state paid \$58.7 million to St. Clare's in a good faith attempt to cover transition costs including \$28 million to cover the anticipated needs of the St. Clare's Pension Fund. Unfortunately, for reasons that need to be looked into, that was not enough to cover the fund's pension costs. Since federal law permits a religious exemption, St. Clare's pension fund has no benefit guarantee insurance.

In some cases, people who worked at the hospital for decades will receive no pension at all. These individuals worked hard with the promise that their pensions would be there when they retired. The Attorney General is now investigating what happened to the money.

Governor, given that the state has some responsibility in this issue by forcing the closure of St. Clare's Hospital, I ask you to permit the NYS Health Department to assist the AG in whatever capacity they can in this investigation so we can prevent something like this from ever happening again. I also ask after an investigation is completed that you work to help mitigate this for the St. Clare's pensioners by helping to make them whole by giving consideration to using the state's Health Care Transformation Fund as a way to shield taxpayers from any obligation. This Fund was created by the proceeds from the sale of the Catholic Church-affiliated Fidelis Care and has about \$524 million currently in its account. Given St. Clare's connection with the Church, using the Health Care Transformation Fund and the monies seized from the Diocese to save the retirements of the 1,100 St. Clare's pensioners makes sense. According to the law, your budget director has the authority to direct how the funds are spent on health care related matters.

I hope you can now work quickly to help solve this issue which has caused much consternation to 1,100 of our shared constituents. Thank you for your consideration.

Sincerely,


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49th Senate District

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