

# Non-Participation Election Form - New York Public Goods Pool.

## What is the Pool?

The New York Public Goods Pool is a fund created by the state of New York to finance health care initiatives and care for the indigent within that state. The Pool was started in 1997 and is funded by a surcharge tax on all health services rendered in the state of New York. All health insurance plans, insured and self-funded, are required by law to pay the tax. This state law is not preempted by ERISA for a self-funded plan.

## Effect of NOT electing into the Pool.

Self-Funded plans pay higher surcharge rates if non electing, which are then included in a provider's claim reimbursement. The surcharge for a non-electing customer can be in excess of 60 percent of the cost of the claim.

## Effect of electing into the Pool.

Self-funded plans that elect to pay the Pool directly are promising to pay the state a surcharge tax made up of two components. The first is a covered lives fee based on the number of covered employees residing in the state of New York. This part of the tax varies by the region of New York that the employee resides in and whether they have single or family coverage. If there are no employees residing in New York, then no tax is due from this portion of the surcharge tax. The second component is a surcharge tax on the dollar value of claims incurred in the state of New York.

\_\_\_\_\_  
**Company name and Group Number**

elects not to participate in the New York Public Goods Pool.

\_\_\_\_\_  
**Signature**

**Authorized Representative of Customer**

\_\_\_\_\_  
**Printed Name**

**Authorized Representative of Customer**

**Date:** \_\_\_\_\_

Completion of this form does not negate any prior election into the Pool. To rescind election in the Pool, Form 4404 would need to be completed and filed with the state of New York.

The form is available at [health.ny.gov/forms/doh-4404.pdf](http://health.ny.gov/forms/doh-4404.pdf).

Return signed form to:

**AdminAllSavers@unitedhealthcare.com**

Fax# 920-661-9959

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