

# Retirees seek immediate ruling in benefits suit

BY STAFF WRITER

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**IRONDEQUOIT** — Retirees who filed suit against Irondequoit in June over cuts in their health care benefits have asked for an immediate ruling in their favor.

In a motion for summary judgment filed Thursday in the Western District of U.S. District Court, the retirees charge that the town

breached an agreement with its nonunion retirees when the Town Board voted last March to change retirees' health coverage from Blue Cross/Blue Shield Blue Million Preferred to Blue Choice Senior plan.

The suit also charges age discrimination.

Town Attorney Stacey Romeo said she cannot comment.

The retirees' attorney, J. Nelson Thomas of Dolin, Thomas

and Solomon, said the case is troubling because "these retirees are all older people and are not in a position to get jobs to make up for the benefit they lost."

The suit currently names retirees Hubert Lawrence, Amelia Fontana, Roger Fox and John Magin, but another motion requests that the suit be reclassified as a class action to cover all 33 affected retirees.

Under the terms of the town's new health benefits package, re-

tirees 80 or older were allowed to keep their existing coverage, Preferred Blue Million. Retirees 65 to 80 were switched to Blue Choice Senior, and retirees 64 and under were given Blue Choice Select.

According to the suit, the biggest change for the retirees would be the new out-of-pocket costs for prescription drugs.

With Preferred Blue Million, the retirees had been paying a \$5 co-pay per 34-day supply for drugs.

Blue Choice Senior pays only 50 percent of drug costs up to \$1,000 per calendar year, with a \$200 deductible.

Retirees can keep the Blue Million coverage if they pick up the \$90-per-month premium difference.

Former Town Supervisor Donald Deming, who was in office when the original policy was written, submitted an affidavit in support of the retirees. □