S T A T E O F N E W Y O R K

2330

2013-2014 Regular Sessions

I N S E N A T E

January 16, 2013

Introduced by Sens. KLEIN, ADAMS, ADDABBO, BRESLIN, DIAZ, DILAN, HASSELL-THOMPSON, KRUEGER, PARKER, SAVINO, SERRANO, SMITH, STAVISKY, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Aging

AN ACT to amend the elder law, in relation to making certain persons who are eligible for or receiving social security disability insurance benefits eligible for elderly pharmaceutical insurance coverage

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivisions 1 and 2 of section 242 of the elder law, subdivision 1 as amended by section 4 and subdivision 2 as added by section 5 of part T of chapter 56 of the laws of 2012, are amended to read as follows:

1. Persons eligible for comprehensive coverage under section two hundred forty-seven of this title shall include:

(a) any unmarried resident who is at least sixty-five years of age, OR ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI) BENEFITS, and whose income for the calendar year immediately preceding the effective date of the annual coverage period beginning on or after January first, two thousand five, is less than or equal to twenty thousand dollars. After the initial determination of eligibility, each eligible individual must be redetermined eligible at least every twenty-four months; and

(b) any married resident who is at least sixty-five years of age, OR ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI) BENEFITS, and whose income for the calendar year immediately preceding the effective date of the annual coverage period when combined with the income in the same calendar year of such married person's spouse beginning on or after January first, two thousand one, is less than or equal to twenty-six thousand dollars. After the initial determination of

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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eligibility, each eligible individual must be redetermined eligible at least every twenty-four months.

2. Persons eligible for catastrophic coverage under section two hundred forty-eight of this title shall include:

(a) any unmarried resident who is at least sixty-five years of age, OR ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI) BENEFITS, and whose income for the calendar year immediately preceding the effective date of the annual coverage period beginning on or after January first, two thousand one, is more than twenty thousand and less than or equal to thirty-five thousand dollars. After the initial determination of eligibility, each eligible individual must be redetermined eligible at least every twenty-four months; and

(b) any married resident who is at least sixty-five years of age, OR ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI) BENEFITS, and whose income for the calendar year immediately preceding the effective date of the annual coverage period when combined with the income in the same calendar year of such married person's spouse beginning on or after January first, two thousand one, is more than twenty-six thousand dollars and less than or equal to fifty thousand dollars. After the initial determination of eligibility, each eligible individual must be redetermined eligible at least every twenty-four months.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall apply to benefits paid on or after such effective date. Effective immediately the executive director of the elderly pharmaceutical insurance coverage panel may promulgate any rules and regulations necessary for the implementation of this act.