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I N S E N A T E
March 4, 2014

Introduced by Sens. VALESKY, AVELLA, CARLUCCI, KLEIN, SAVINO -- 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 eligibility levels in the elderly pharmaceutical insurance coverage program

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

Section 1. Subdivision 3 of section 241 of the elder law is amended to read as follows:
3. "Income" shall mean "household gross income" as defined in the real property tax circuit breaker credit program, pursuant to subparagraph (C) of paragraph one of subsection (e) of section six hundred six of the tax law, [but] EXCLUDING ANY PAYMENTS RECEIVED UNDER THE FEDERAL SOCIAL SECURITY ACT, AND only shall include the income of program applicants and spouses and shall exclude the income of other members of the household.

S 2. Subdivision 2 of section 242 of the elder law, as added by section 5 of part $T$ of chapter 56 of the laws of 2012, is amended to read as follows:
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 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] SEVENTY-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 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] ONE HUNDRED thousand dollars.

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

LBD13205-01-3 eligible program participants:
to [\$22,000] \$44,000
individual income of
to [\$23,000] \$46,000
individual income of
to [\$24,000] \$48,000
individual income of
to $[\$ 25,000] \$ 50,000$
individual income of
to $[\$ 26,000] \$ 52,000$ individual income of to [\$27,000] \$54,000 individual income of to [\$28,000] \$56,000 individual income of to [\$29,000] \$58,000 individual income of to [\$30,000] $\$ 60,000$ individual income of to [\$31,000] \$62,000 individual income of to $[\$ 32,000] \$ 64,000$ individual income of to $[\$ 33,000] \$ 66,000$ individual income of to [\$34,000] \$68,000 individual income of to [\$35,000] \$75,000
to $[\$ 28,000] \$ 56,000$
to [\$29,000] \$58,000
to [\$30,000] \$60,000
to [\$31,000] \$62,000
to [\$32,000] \$64,000
to $[\$ 33,000] \$ 66,000$
to [\$34,000] \$68,000

After the initial determination of eligibility, each eligible individual must be redetermined eligible at least every twenty-four months.

S 3. Paragraphs (a) and (b) of subdivision 2 of section 248 of the elder law, as added by section 17 of part $T$ of chapter 56 of the laws of 2012, are amended to read as follows:
(a) Annual personal covered drug expenditures for unmarried individual
individual income of $\$ 20,001$ to $[\$ 21,000] \$ 42,000$ \$530
individual income of [\$21,001] \$42,001 \$550
(b) Annual personal covered drug expenditures for each married individual eligible program participant:
joint income of $\$ 26,001$ to [\$27,000] \$54,000 \$650
joint income of [\$27,001] \$54,001 \$675
joint income of [\$28,001] \$56,001 \$700
joint income of [\$29,001] \$58,001 \$725
joint income of [\$30,001] \$60,001 \$900
joint income of $[\$ 31,001]$ \$62,001 $\$ 930$
joint income of [\$32,001] \$64,001 \$960
joint income of $[\$ 33,001] \$ 66,001$ \$990
joint income of $[\$ 34,001] \$ 68,001$ \$1,020
joint income of $[\$ 35,001]$ \$70,001
to $[\$ 36,000] \$ 72,000$
joint income of $[\$ 36,001] \$ 72,001$
to $[\$ 37,000] \$ 74,000$
joint income of $[\$ 37,001]$ \$74,001
to $[\$ 38,000] \$ 76,000$
joint income of $[\$ 38,001] \$ 76,001$
to $[\$ 39,000] \$ 78,000$
joint income of $[\$ 39,001] \$ 78,001$
to $[\$ 40,000] \$ 80,000$
to $[\$ 41,000] \$ 82,000$
joint income of $[\$ 41,001] \$ 82,001$
to $[\$ 42,000] \$ 84,000$
to $[\$ 43,000] \$ 86,000$
joint income of $[\$ 43,001] \$ 86,001$
to $[\$ 44,000] \$ 88,000$
joint income of $[\$ 44,001] \$ 88,001$
to $[\$ 45,000] \$ 90,000$
joint income of $[\$ 45,001] \$ 90,001$
to $[\$ 46,000] \$ 92,000$
joint income of $[\$ 46,001] \$ 92,001$
to $[\$ 47,000] \$ 94,000$
joint income of $[\$ 47,001] \$ 94,001$
to $[\$ 48,000] \$ 96,000$
joint income of $[\$ 48,001] \$ 96,001$
to $[\$ 49,000] \$ 98,000$
joint income of $[\$ 49,001] \$ 98,001$
to $[\$ 50,000] \$ 100,000$ 2012, are amended to read as follows: participants:
individual income of $\$ 20,001$
to $[\$ 21,000] \$ 42,000$ individual income of to $[\$ 22,000] \$ 44,000$ individual income of to $[\$ 23,000] \$ 46,000$ individual income of to $[\$ 24,000] \$ 48,000$ individual income of to $[\$ 25,000] \$ 50,000$ individual income of to $[\$ 26,000] \$ 52,000$ individual income of to [\$27,000] \$54,000 individual income of to $[\$ 28,000] \$ 56,000$ individual income of to $[\$ 29,000] \$ 58,000$ individual income of individual income of

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[\$ 21,001] \$ 42,001
$$

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[\$ 22,001] \$ 44,001
$$

$$
[\$ 23,001] \quad \$ 46,001
$$

$$
[\$ 24,001] \$ 48,001
$$

$$
[\$ 25,001] \$ 50,001
$$

$$
[\$ 26,001] \$ 52,001
$$

$$
[\$ 27,001] \$ 54,001
$$

$$
[\$ 28,001] \quad \$ 56,001
$$

$$
[\$ 29,001] \$ 58,001
$$

[\$30,001] \$60,001
joint income of $[\$ 42,001] \$ 84,001 \quad \$ 1,260$

S 4. Paragraphs (a) and (b) of subdivision 4 of section 248 of the elder law, as added by section 17 of part $T$ of chapter 56 of the laws of
(a) Limits on co-payments by unmarried individual eligible program
no more than $\$ 1,050$
no more than $\$ 1,100$
no more than $\$ 1,150$
no more than $\$ 1,200$
no more than $\$ 1,250$
no more than $\$ 1,300$
no more than $\$ 1,350$
no more than $\$ 1,400$
no more than $\$ 1,450$
no more than $\$ 1,500$
43 to $[\$ 42,000] \$ 84,000$
44 joint income of $[\$ 42,001] \$ 84,001$ participant:
joint income of $\$ 26,001$
joint income of [\$27,001] \$54,001
to $[\$ 28,000] \$ 56,000$
joint income of $[\$ 28,001] \$ 56,001$
to $[\$ 29,000] \$ 58,000$
joint income of $[\$ 29,001] \$ 58,001$
to $[\$ 30,000] \$ 60,000$
joint income of $[\$ 30,001] \$ 60,001$
to $[\$ 31,000] \$ 62,000$
joint income of $[\$ 31,001]$ \$62,001
to $[\$ 32,000] \$ 64,000$
joint income of [\$32,001] \$64,001
to $[\$ 33,000] \$ 66,000$
joint income of $[\$ 33,001]$ \$66,001
to $[\$ 34,000] \$ 68,000$
joint income of $[\$ 34,001] \$ 68,001$
to $[\$ 35,000] \$ 70,000$
joint income of $[\$ 35,001] \$ 70,001$
to $[\$ 36,000] \$ 72,000$
joint income of $[\$ 36,001] \$ 72,001$
to $[\$ 37,000] \$ 74,000$
joint income of [\$37,001] \$74,001
to $[\$ 38,000] \$ 76,000$
joint income of $[\$ 38,001] \$ 76,001$
to [\$39,000] \$78,000
joint income of $[\$ 39,001] \$ 78,001$
to $[\$ 40,000] \$ 80,000$
joint income of $[\$ 40,001] \$ 80,001$
to $[\$ 41,000] \$ 82,000$
to $[\$ 42,000] \$ 84,000$
joint income of $[\$ 42,001] \$ 84,001$
to $[\$ 43,000] \$ 86,000$
joint income of $[\$ 43,001] \$ 86,001$
to $[\$ 44,000] \$ 88,000$
joint income of $[\$ 44,001] \$ 88,001$
to $[\$ 45,000] \$ 90,000$
joint income of $[\$ 45,001] \$ 90,001$
to $[\$ 46,000] \$ 92,000$
joint income of $[\$ 46,001] \$ 92,001$
joint income of $[\$ 48,001] \$ 96,001$
to [\$31,000] \$62,000
individual income of
to $\$ 32,000] \$ 64,000$
to $[\$ 33,000] \$ 66,000$
individual income of
to [\$34,000] \$68,000
individual income of
no more than $\$ 1,550$
[\$31,001] \$62,001
$[\$ 32,001] \$ 64,001$
$[\$ 33,001] \$ 66,001$
[\$34,001] \$68,001
no more than $\$ 1,600$
no more than $\$ 1,650$
no more than $\$ 1,700$
no more than $\$ 1,750$
(b) Limits on co-payments by each married individual eligible program
to $[\$ 27,000] \$ 54,000$ no more than $\$ 1,08$

no more than $\$ 1,120$
no more than $\$ 1,160$
no more than $\$ 1,200$
no more than $\$ 1,240$
no more than $\$ 1,280$
no more than $\$ 1,320$
no more than $\$ 1,360$
no more than $\$ 1,400$
no more than $\$ 1,440$
no more than $\$ 1,480$
no more than $\$ 1,520$
no more than $\$ 1,560$
no more than $\$ 1,600$
no more than $\$ 1,640$
no more than $\$ 1,680$
no more than $\$ 1,720$
no more than $\$ 1,760$
no more than $\$ 1,800$
no more than $\$ 1,840$
no more than $\$ 1,880$
no more than $\$ 1,920$
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1 to [\$49,000] \$98,000
2 joint income of [\$49,001] \$98,001
3 to $[\$ 50,000] \$ 100,000$ no more than $\$ 2,000$
4 S 5. This act shall take effect immediately.
no more than $\$ 1,960$

