

# STATE OF NEW YORK

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5175--A

2017-2018 Regular Sessions

## IN ASSEMBLY

February 6, 2017

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Introduced by M. of A. GOTTFRIED, GUNTHER, MORELLE, BRONSON, SCHIMMINGER  
-- Multi-Sponsored by -- M. of A. HEVESI -- read once and referred to  
the Committee on Health -- committee discharged, bill amended, ordered  
reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to notice of deter-  
mination of eligibility for medical assistance

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Paragraph (f) of subdivision 5 of section 366 of the social  
2 services law, as relettered by section 26-a of part C of chapter 109 of  
3 the laws of 2006, is relettered paragraph (g) and a new paragraph (f) is  
4 added to read as follows:

5 (f) The department shall provide written notice under this paragraph  
6 to an applicant for or recipient of medical assistance who is or reason-  
7 ably appears to be eligible for medical assistance under subparagraph  
8 two of paragraph (c) of subdivision one of this section, except for  
9 having income exceeding applicable income levels. The notice shall  
10 explain, in plain language, the rules for depositing income in a trust  
11 that may enable an applicant or recipient who is disabled to become  
12 eligible for medical assistance under clause (iii) of subparagraph two  
13 of paragraph (b) of subdivision two of this section. The notice shall be  
14 included with the eligibility notice provided to such applicants and  
15 recipients. The notice shall include information on how to enroll in  
16 such a trust and how to request that the local social services district  
17 rebudget medical assistance based on participation in such a trust. This  
18 paragraph shall not be construed to change any criterion for eligibility  
19 for medical assistance.

20 § 2. This act shall take effect on the one hundred eightieth day after  
21 it shall have become a law.

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

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