

STATE OF NEW YORK

3600

2025-2026 Regular Sessions

IN ASSEMBLY

January 29, 2025

Introduced by M. of A. SEAWRIGHT -- read once and referred to the
Committee on Aging

AN ACT to amend the elder law, in relation to policies excluding certain
non-recurring items from income for purposes of the program for elder-
ly pharmaceutical insurance coverage

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

1 Section 1. Subdivision 3 of section 241 of the elder law is amended to
2 read as follows:

3 3. "Income" shall mean "household gross income" as defined in the real
4 property tax circuit breaker credit program, pursuant to subparagraph
5 [~~(c)~~] (c) of paragraph one of subsection (e) of section six hundred six
6 of the tax law, but only shall include the income of program applicants
7 and spouses and shall exclude the income of other members of the house-
8 hold; provided, however, that the commissioner of health may adopt poli-
9 cies to exclude from income certain non-recurring items that would act
10 to artificially inflate the availability of funds to meet current needs
11 including, but not limited to, a retiree's previous year's wages, and
12 non-recurring distributions from an individual retirement account.

13 § 2. This act shall take effect immediately.

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

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