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

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I N A S S E M B L Y

May 25, 2010

Introduced by M. of A. KOLB, CASTELLI, CONTE, MURRAY, RAIA, REILICH, SALADINO, SAYWARD -- Multi-Sponsored by -- M. of A. AMEDORE, BALL, BARCLAY, BARRA, BOYLE, BURLING, BUTLER, CALHOUN, CORWIN, CROUCH, ERRIGO, FINCH, FITZPATRICK, GIGLIO, HAWLEY, HAYES, JORDAN, McDONOUGH, McKEVITT, J. MILLER, MOLINARO, OAKS, O'MARA, QUINN, RABBITT, TEDISCO, TOBACCO, TOWNSEND -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to requiring the state to allow counties to opt out of certain Medicaid services

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

Section 1. Section 365-a of the social services law is amended by adding a new subdivision 9 to read as follows:

9. (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION OR ANY OTHER PROVISION OF LAW, ON AND AFTER THE EFFECTIVE DATE OF THIS SUBDIVISION, THE STATE IS REQUIRED TO ALLOW COUNTIES TO OPT OUT OF PROVIDING OPTIONAL MEDICAL ASSISTANCE SERVICES TO ANY NEW ENROLLEES WHO HAVE EITHER NEVER RECEIVED SUCH BENEFITS OR WHO HAVE REENROLLED AFTER A PERIOD OF ABSENCE.

(B) THE COMMISSIONER OF HEALTH IS AUTHORIZED TO APPLY FOR ANY AND ALL FEDERAL WAIVERS REQUIRED TO IMPLEMENT THE PROVISIONS OF THIS SUBDIVISION.

S 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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