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2009-2010 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2009

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Introduced by M. of A. JOHN, CYMBROWITZ, MARKEY, DINOWITZ, JACOBS --  
Multi-Sponsored by -- M. of A. AUBRY, BRENNAN, CAHILL, CANESTRARI,  
CHRISTENSEN, CLARK, COOK, DeLMONTE, GANTT, GLICK, GREENE, HEASTIE,  
HOOPER, McENENY, MILLMAN, ORTIZ, PAULIN, SCARBOROUGH, SWEENEY, WRIGHT  
-- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to the personal  
expense allowance for residents of residential health care facilities  
receiving or eligible to receive supplemental security income payments  
and/or additional state payments

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

1     Section 1. Item (A) of clause (i), item (A) of clause (ii), and clause  
2     (iii) of subparagraph 10 of paragraph (a) of subdivision 2 of section  
3     366 of the social services law, item (A) of clause (i) as added by chap-  
4     ter 705 of the laws of 1988, item (A) of clause (ii) as amended by chap-  
5     ter 855 of the laws of 1990, and clause (iii) as amended by chapter 170  
6     of the laws of 1994, are amended to read as follows:  
7     (A) for the personal expenses of a resident of a residential health  
8     care facility, as defined by section twenty-eight hundred one of the  
9     public health law, the amount of [fifty-five] ONE HUNDRED dollars per  
10    month;  
11    (A) for the personal expenses of a resident of a residential health  
12    care facility, as defined by section twenty-eight hundred one of the  
13    public health law, the amount of [fifty] ONE HUNDRED dollars per month;  
14    (iii) Notwithstanding the provisions of clauses (i) and (ii) of this  
15    subparagraph, the personal needs allowance for a person who is a veteran  
16    having neither a spouse nor a child, or a surviving spouse of a veteran  
17    having no child, who receives a reduced pension from the federal veter-  
18    ans administration, and who is a resident of a nursing facility, as  
19    defined in section 1919 of the federal social security act, shall be

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

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1 equal to such reduced monthly pension but shall not exceed [ninety] ONE  
2 HUNDRED dollars per month.  
3 S 2. This act shall take effect on the first of April next succeeding  
4 the date on which it shall have become a law.