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

1103

2009-2010 Regular Sessions

I N S E N A T E

January 26, 2009

Introduced by Sens. DILAN, ADAMS, BRESLIN, DIAZ, DUANE, HASSELL-THOMPSON, KRUEGER, MONTGOMERY, ONORATO, PARKER, SAMPSON, SAVINO, SCHNEIDERMAN, SERRANO, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to notice and expedited re-application in cases of the termination of medical assistance eligibility

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

Section 1. Subdivision 8 of section 22 of the social services law, as added by chapter 473 of the laws of 1978, is amended to read as follows:

8. The department shall promulgate such regulations, not inconsistent with federal or state law, as may be necessary to implement the provisions of this section. Such regulations shall require that a copy of all decisions made concerning appeals pursuant to this section shall be sent to each party to such appeals and their representatives, if any. SUCH REGULATIONS SHALL ALSO REQUIRE THAT PERSONS WHOSE ELIGIBILITY FOR MEDICAL ASSISTANCE IS TERMINATED BE NOTIFIED IN WRITING OF THE EFFECTIVE DATE OF SUCH TERMINATION AT LEAST TEN BUSINESS DAYS PRIOR TO SUCH EFFECTIVE DATE.

S 2. Section 366-a of the social services law is amended by adding a new subdivision 3-a to read as follows:

3-A. IN THE CASE OF ANY PERSON WHOSE ELIGIBILITY FOR MEDICAL ASSISTANCE IS TERMINATED, SUCH PERSON, UPON RECEIPT OF WRITTEN NOTICE THEREOF, SHALL BE PERMITTED TO RE-APPLY FOR MEDICAL ASSISTANCE, AND SHALL HAVE HIS OR HER ELIGIBILITY THEREFOR DETERMINED BY THE APPROPRIATE SOCIAL SERVICES OFFICIAL WITHIN TEN BUSINESS DAYS OF SUBMISSION OF APPLICATION THEREFOR. NOTICE OF SUCH DECISION AND PROVISION OF THE APPROPRIATE IDENTIFICATION CARD SHALL BE AS PROVIDED FOR IN SUBDIVISION THREE OF THIS SECTION.

S 3. This act shall take effect immediately.

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

LBD05014-01-9