

1539

2009-2010 Regular Sessions

I N S E N A T E

February 2, 2009

Introduced by Sens. STAVISKY, ADAMS, DIAZ, KRUEGER, ONORATO, SAMPSON --
read twice and ordered printed, and when printed to be committed to
the Committee on Aging

AN ACT to amend the elder law, in relation to limiting the cost-sharing
responsibilities of eligible participants in the elderly pharmaceu-
tical insurance coverage program

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

1 Section 1. Section 247 of the elder law is amended by adding a new
2 subdivision 5 to read as follows:
3 5. COST-SHARING RESPONSIBILITIES LIMIT. AT NO TIME DURING A COVERAGE
4 PERIOD SHALL THE COST-SHARING RESPONSIBILITIES, WHICH ARE COMPRISED OF
5 THE SUM OF THE ANNUAL REGISTRATION FEE AND CO-PAYMENTS, EXCEED FIVE
6 PERCENT OF THE ELIGIBLE PROGRAM PARTICIPANT'S GROSS INCOME, EFFECTIVE
7 IMMEDIATELY.
8 S 2. Section 248 of the elder law is amended by adding a new subdivi-
9 sion 5 to read as follows:
10 5. COST-SHARING RESPONSIBILITIES LIMIT. AT NO TIME DURING A COVERAGE
11 PERIOD SHALL THE COST-SHARING RESPONSIBILITIES, WHICH ARE COMPRISED OF
12 THE SUM OF THE ANNUAL DEDUCTIBLE AND CO-PAYMENTS, EXCEED FIVE PERCENT OF
13 THE ELIGIBLE PROGRAM PARTICIPANT'S GROSS INCOME, EFFECTIVE IMMEDIATELY.
14 S 3. This act shall take effect on the one hundred twentieth day next
15 succeeding the date on which it shall have become a law.

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

LBD04892-01-9