

1840

2009-2010 Regular Sessions

I N   S E N A T E

February 9, 2009

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Introduced by Sens. KLEIN, ADAMS, BRESLIN, DIAZ, DILAN, DUANE, HASSELL-THOMPSON, HUNTLEY, KRUEGER, KRUGER, ONORATO, OPPENHEIMER, PARKER, SAVINO, SCHNEIDERMAN, SERRANO, SMITH, STAVISKY, VALESKY -- 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 making certain persons who are eligible for or receiving social security disability insurance benefits eligible for elderly pharmaceutical insurance coverage

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

1     Section 1. Subdivisions 1 and 2 of section 242 of the elder law, para-  
2 graph (b) of subdivision 1 and paragraphs (a) and (b) of subdivision 2  
3 as amended by section 14 of part B of chapter 57 of the laws of 2006,  
4 are amended to read as follows:  
5     1. Persons eligible for comprehensive coverage under section two  
6 hundred forty-seven of this title shall include:  
7     (a) any unmarried resident who is at least sixty-five years of age, OR  
8 ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI)  
9 BENEFITS, and whose income for the calendar year immediately preceding  
10 the effective date of the annual coverage period beginning on or after  
11 January first, two thousand five, is less than or equal to twenty thou-  
12 sand dollars. After the initial determination of eligibility, each  
13 eligible individual must be redetermined eligible at least every twen-  
14 ty-four months; and  
15     (b) any married resident who is at least sixty-five years of age, OR  
16 ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI)  
17 BENEFITS, and whose income for the calendar year immediately preceding  
18 the effective date of the annual coverage period when combined with the  
19 income in the same calendar year of such married person's spouse begin-  
20 ning on or after January first, two thousand one, is less than or equal  
21 to twenty-six thousand dollars. After the initial determination of

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

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1 eligibility, each eligible individual must be redetermined eligible at  
2 least every twenty-four months.

3 2. Persons eligible for catastrophic coverage under section two  
4 hundred forty-eight of this title shall include:

5 (a) any unmarried resident who is at least sixty-five years of age, OR  
6 ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI)  
7 BENEFITS, and whose income for the calendar year immediately preceding  
8 the effective date of the annual coverage period beginning on or after  
9 January first, two thousand one, is more than twenty thousand and less  
10 than or equal to thirty-five thousand dollars. After the initial deter-  
11 mination of eligibility, each eligible individual must be redetermined  
12 eligible at least every twenty-four months; and

13 (b) any married resident who is at least sixty-five years of age, OR  
14 ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI)  
15 BENEFITS, and whose income for the calendar year immediately preceding  
16 the effective date of the annual coverage period when combined with the  
17 income in the same calendar year of such married person's spouse begin-  
18 ning on or after January first, two thousand one, is more than twenty-  
19 six thousand dollars and less than or equal to fifty thousand dollars.  
20 After the initial determination of eligibility, each eligible individual  
21 must be redetermined eligible at least every twenty-four months.

22 S 2. This act shall take effect immediately and shall apply to bene-  
23 fits paid on or after such effective date. Effective immediately the  
24 executive director of the elderly pharmaceutical insurance coverage  
25 panel may promulgate any rules and regulations necessary for the imple-  
26 mentation of this act.