

2983

2009-2010 Regular Sessions

I N S E N A T E

March 9, 2009

Introduced by Sens. RANZENHOFER, ALESI, O. JOHNSON, LARKIN, LIBOUS,
PADAVAN -- 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 a residency
requirement for certain medical services not mandated by federal law

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

- 1 Section 1. Section 117 of the social services law is amended by adding
2 a new subdivision 4 to read as follows:
3 4. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF THIS SECTION OR ANY
4 OTHER PROVISION OF LAW, FOR THE PURPOSES OF ELIGIBILITY FOR MEDICAL
5 ASSISTANCE AS PROVIDED UNDER TITLE ELEVEN OF ARTICLE FIVE OF THIS CHAP-
6 TER OR ANY SUCCESSOR PROVISIONS THEREOF, THAT ARE NOT MANDATED SERVICES
7 UNDER FEDERAL LAW OR REGULATION, NO PERSON SHALL BE ELIGIBLE THEREFOR
8 UNLESS SUCH PERSON SHALL HAVE BEEN FOR NINETY DAYS OR MORE A RESIDENT OF
9 THIS STATE.
10 S 2. The commissioner of health is authorized and directed to apply
11 for any and all federal waivers required to implement the provisions of
12 subdivision 4 of section 117 of the social services law.
13 S 3. The commissioner of health shall promulgate any and all rules and
14 regulations and take any other measures necessary to implement this act
15 including, but not limited to, developing a services and eligibility
16 plan and distributing the same to local social services districts.
17 S 4. This act shall take effect immediately; provided, however, that
18 subdivision 4 of section 117 of the social services law as added by
19 section one of this act shall not take effect unless and until the
20 commissioner of health receives all necessary approvals under federal
21 law and regulation to implement its provisions, and provided that such
22 provisions do not prevent the receipt of federal financial participation
23 under the medical assistance program; provided that the commissioner of
24 health shall notify the legislative bill drafting commission upon the

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

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1 occurrence of the enactment of the legislation provided for in this act
2 in order that the commission may maintain an accurate and timely effec-
3 tive data base of the official text of the laws of the state of New York
4 in furtherance of effecting the provisions of section 44 of the legisla-
5 tive law and section 70-b of the public officers law.