

3340

2009-2010 Regular Sessions

I N S E N A T E

March 16, 2009

Introduced by Sen. DIAZ -- 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 establishing the supplemental nutrition assistance program

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

- 1 Section 1. The elder law is amended by adding a new section 224 to  
2 read as follows:  
3 S 224. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM. 1. ANY PERSON SIXTY  
4 YEARS OF AGE OR OLDER IS ELIGIBLE TO RECEIVE SERVICES OF THE SUPPLE-  
5 MENTAL NUTRITION ASSISTANCE PROGRAM PROVIDED THAT SUCH PERSON:  
6 (A) IS INCAPACITATED DUE TO ACCIDENT, ILLNESS OR FRAILTY; AND  
7 (B) LACKS THE SUPPORT OF FAMILY, FRIENDS OR NEIGHBORS; AND  
8 (C) IS UNABLE TO PREPARE MEALS DUE TO A LACK OR INADEQUACY OF FACILI-  
9 TIES, OR AN INABILITY TO SHOP, COOK OR PREPARE MEALS SAFELY, OR A LACK  
10 OF KNOWLEDGE OR SKILL.  
11 2. THE SPOUSE OF SUCH A PERSON, REGARDLESS OF AGE, MAY RECEIVE  
12 SERVICES OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IF, ACCORDING  
13 TO CRITERIA DETERMINED BY THE AREA AGENCY, RECEIPT OF SUCH SERVICES IS  
14 IN THE BEST INTEREST OF THE HOMEBOUND ELDERLY PERSON.  
15 3. THE AREA AGENCY MUST ENSURE THAT EACH PERSON REFERRED FOR OR  
16 REQUESTING SERVICES OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM IS  
17 ASSESSED TO DETERMINE THE NEED FOR SUCH SERVICES.  
18 (A) THE AREA AGENCY MUST ALSO DOCUMENT ADEQUATE FOLLOW-UP AND REAS-  
19 SEMENT.  
20 (B) THE AREA AGENCY MUST ASSURE THE USE OF STANDARDIZED CLIENT ASSESS-  
21 MENT PROCEDURES THAT ARE CONSISTENT WITH THE OFFICE'S GUIDELINES.  
22 S 2. This act shall take effect immediately.

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

LBD10536-01-9