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

11419

I N A S S E M B L Y

June 11, 2010

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Koon) -- read once and referred to the Committee on Aging

AN ACT to amend the elder law, in relation to excluding qualified medical expenses from the definition of income for purposes of eligibility in EPIC

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

Section 1. Subdivision 3 of section 241 of the elder law is amended to read as follows:

3. "Income" shall mean "household gross income" as defined in the real property tax circuit breaker credit program, pursuant to subparagraph (C) of paragraph one of subsection (e) of section six hundred six of the tax law, but only shall include the income of program applicants and spouses and shall exclude [the]: (I) income of other members of the household; AND

(II) QUALIFIED MEDICAL EXPENSES OF SUCH APPLICANTS.

S 2. Section 241 of the elder law is amended by adding a new subdivision 8 to read as follows:

8. "QUALIFIED MEDICAL EXPENSE" SHALL MEAN EXPENSES ELIGIBLE FOR DEDUCTION UNDER SECTION TWO HUNDRED THIRTEEN-D OF THE INTERNAL REVENUE CODE.

S 3. This act shall take effect immediately.

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

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