

3917

2009-2010 Regular Sessions

I N A S S E M B L Y

January 29, 2009

Introduced by M. of A. KOON, CAHILL, JOHN, ENGLEBRIGHT, GOTTFRIED, PHEFFER, SCHIMMINGER, MAYERSOHN, GALEF, EDDINGTON, PAULIN, BENEDETTO, CUSICK, ROSENTHAL, MAISEL, JEFFRIES, TITUS, TITONE, ESPAILLAT, JAFFEE, KELLNER, KAVANAGH, SCHIMEL, POWELL, SPANO, HYER-SPENCER, ZEBROWSKI, ALESSI, SCARBOROUGH -- Multi-Sponsored by -- M. of A. ABBATE, ARROYO, BENJAMIN, BING, BOYLAND, BRADLEY, BRENNAN, BROOK-KRASNY, CALHOUN, CARROZZA, CHRISTENSEN, CLARK, COLTON, CONTE, COOK, CROUCH, CYMBROWITZ, DESTITO, DINOWITZ, FARRELL, GIANARIS, GLICK, GREENE, GUNTHER, HEASTIE, HEVESI, HOOPER, HOYT, JACOBS, LANCMAN, LATIMER, LIFTON, V. LOPEZ, LUPARDO, MAGNARELLI, McENENY, MILLER, MILLMAN, MORELLE, O'DONNELL, ORTIZ, PEOPLES, PERRY, PRETLOW, J. RIVERA, ROBINSON, SCHROEDER, SCOZZAFAVA, SEMINERIO, SWEENEY, TOWNS, TOWNSEND, WEISENBERG, WEPRIN, WRIGHT -- read once and referred 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] NINE, is less than or equal to twenty
12 thousand dollars. After the initial determination of eligibility, each

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

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1 eligible individual must be redetermined eligible at least every twen-
2 ty-four months; and

3 (b) any married resident who is at least sixty-five years of age, OR
4 ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI)
5 BENEFITS, and whose income for the calendar year immediately preceding
6 the effective date of the annual coverage period when combined with the
7 income in the same calendar year of such married person's spouse begin-
8 ning on or after January first, two thousand [one] NINE, is less than or
9 equal to twenty-six thousand dollars. After the initial determination of
10 eligibility, each eligible individual must be redetermined eligible at
11 least every twenty-four months.

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

14 (a) any unmarried resident who is at least sixty-five years of age, OR
15 ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI)
16 BENEFITS, and whose income for the calendar year immediately preceding
17 the effective date of the annual coverage period beginning on or after
18 January first, two thousand [one] NINE, is more than twenty thousand and
19 less than or equal to thirty-five thousand dollars. After the initial
20 determination of eligibility, each eligible individual must be redeter-
21 mined eligible at least every twenty-four months; and

22 (b) any married resident who is at least sixty-five years of age, OR
23 ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI)
24 BENEFITS, and whose income for the calendar year immediately preceding
25 the effective date of the annual coverage period when combined with the
26 income in the same calendar year of such married person's spouse begin-
27 ning on or after January first, two thousand [one] NINE, is more than
28 twenty-six thousand dollars and less than or equal to fifty thousand
29 dollars. After the initial determination of eligibility, each eligible
30 individual must be redetermined eligible at least every twenty-four
31 months.

32 S 2. This act shall take effect on the one hundred twentieth day after
33 it shall have become a law.