

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

3917--A

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, 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, BRENNAN, BROOK-KRASNY, CALHOUN, CARROZZA, CHRISTENSEN, CLARK, COLTON, CONTE, COOK, CROUCH, CYMBROWITZ, DESTITO, DINOWITZ, FARRELL, GIANARIS, GLICK, GUNTHER, HEASTIE, HEVESI, HOOPER, HOYT, JACOBS, LANCMAN, LATIMER, LIFTON, V. LOPEZ, LUPARDO, MAGNARELLI, MCENENY, J. MILLER, MILLMAN, MORELLE, O'DONNELL, ORTIZ, PEOPLES-STOKES, PERRY, PRETLOW, J. RIVERA, ROBINSON, SCHROEDER, SCOZZAFAVA, SWEENEY, TOWNS, TOWNSEND, WEISENBERG, WRIGHT -- read once and referred to the Committee on Aging -- recommitted to the Committee on Aging in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

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1 January first, two thousand [five] ELEVEN, is less than or equal to
2 twenty thousand dollars. After the initial determination of eligibil-
3 ity, each eligible individual must be redetermined eligible at least
4 every twenty-four months; and

5 (b) any married 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 when combined with the
9 income in the same calendar year of such married person's spouse begin-
10 ning on or after January first, two thousand [one] ELEVEN, is less than
11 or equal to twenty-six thousand dollars. After the initial determination
12 of eligibility, each eligible individual must be redetermined eligible
13 at least every twenty-four months.

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

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

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

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