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

4551

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. AUBRY -- read once and referred to the Committee on Correction

AN ACT to amend the correction law, in relation to requiring the filing of an application for medical assistance for each inmate confined in a state or local correctional facility

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

Section 1. The correction law is amended by adding a new section 144 to read as follows:

S 144. FILING OF MEDICAL ASSISTANCE APPLICATIONS. THE SUPERINTENDENT OF EACH CORRECTIONAL FACILITY SHALL ENSURE THAT AN APPLICATION FOR MEDICAL ASSISTANCE, PURSUANT TO TITLE ELEVEN OF ARTICLE FIVE OF THE SOCIAL SERVICES LAW, IS FILED WITH THE LOCAL DEPARTMENT OF SOCIAL SERVICES FOR EACH INMATE ELIGIBLE FOR SUCH ASSISTANCE AND CONFINED IN SUCH FACILITY NOT LESS THAN NINETY DAYS PRIOR TO THE DATE OF RELEASE ON PAROLE OR CONDITIONAL RELEASE, OR DISCHARGE OF SUCH INMATE.

S 2. The correction law is amended by adding a new section 510 to read as follows:

S 510. FILING OF MEDICAL ASSISTANCE APPLICATIONS. THE SHERIFF OF EACH LOCAL CORRECTIONAL FACILITY SHALL ENSURE THAT AN APPLICATION FOR MEDICAL ASSISTANCE, PURSUANT TO TITLE ELEVEN OF ARTICLE FIVE OF THE SOCIAL SERVICES LAW, IS FILED WITH THE LOCAL DEPARTMENT OF SOCIAL SERVICES FOR EACH INMATE ELIGIBLE FOR SUCH ASSISTANCE AND SENTENCED TO CONFINEMENT AT SUCH FACILITY FOR A TERM OF MORE THAN THIRTY DAYS. SUCH APPLICATIONS SHALL BE FILED WITHIN SEVEN DAYS OF EACH INMATE'S COMMITMENT TO THE LOCAL CORRECTIONAL FACILITY. NOTHING IN THIS SECTION SHALL BE DEEMED TO LIMIT THE OBLIGATIONS OF A LOCAL CORRECTIONAL FACILITY PURSUANT TO ANY OTHER PROVISION OF LAW.

S 3. This act shall take effect on the thirtieth day after it shall have become a law.

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

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