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

1454

2009-2010 Regular Sessions

I N S E N A T E

February 2, 2009

Introduced by Sens. MAZIARZ, ALESI, DeFRANCISCO, FUSCHILLO, GOLDEN, GRIFFO, LARKIN, LITTLE, MORAHAN, SALAND, VOLKER -- 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 eligibility under the program for elderly pharmaceutical insurance coverage

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

Section 1. Subdivision 3 of section 242 of the elder law is amended by adding a new paragraph (i) to read as follows:

(I) AN INDIVIDUAL WHO IS DETERMINED TO BE ELIGIBLE FOR ASSISTANCE UNDER THIS ARTICLE SHALL NOT BECOME INELIGIBLE BASED UPON INCOME SOLELY BECAUSE OF AN INCREASE IN EITHER A PUBLIC OR PRIVATE PENSION OR AN INCREASE IN SOCIAL SECURITY BENEFITS AS PROVIDED UNDER FEDERAL LAW WHERE SUCH INCREASE DOES NOT EXCEED THE CONSUMER PRICE INDEX (ALL ITEMS UNITED STATES CITY AVERAGE) FOR SUCH YEAR.

S 2. 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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