

2584

2009-2010 Regular Sessions

I N S E N A T E

February 24, 2009

Introduced by Sens. GOLDEN, DeFRANCISCO, HANNON, O. JOHNSON, LANZA, LARKIN, MAZIARZ, MORAHAN, PADAVAN, 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 state aid for certain non-medical services to the elderly

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

1 Section 1. Paragraph (j) of subdivision 4 of section 214 of the elder
2 law is amended to read as follows:
3 (j) Within the amounts appropriated therefor, counties authorized to
4 provide expanded non-medical in-home services, non-institutional respite
5 services, case management services, and ancillary services pursuant to
6 paragraph (i) of this subdivision shall be eligible for reimbursement by
7 the state of up to seventy-five percent of allowable expenditures for
8 approved services pursuant to this section up to the level authorized by
9 the director. The director shall not authorize a level of state
10 reimbursement pursuant to this paragraph which exceeds the sum of nine-
11 ty-one thousand two hundred fifty dollars or seven dollars thirty cents
12 for each elderly person residing in the county, whichever is greater,
13 and shall proportionately reduce such sum for each county in any years
14 for which appropriations are not sufficient to fully fund approved
15 expanded non-medical in-home services, non-institutional respite
16 services, case management services, and ancillary services for func-
17 tionally impaired elderly in all counties with approved home care plans;
18 provided however that in state fiscal years beginning on or after the
19 first day of April, two thousand five, the director, with the approval
20 of the director of the budget, may authorize state reimbursement ON A
21 PROPORTIONAL BASIS in excess of these levels to the extent appropri-
22 ations are available therefor. THE LEVEL OF STATE REIMBURSEMENT PURSU-
23 ANT TO THIS PARAGRAPH WHICH THE DIRECTOR OF THE BUDGET MAY AUTHORIZE

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

LBD08175-01-9

1 SHALL NOT EXCEED THE FOLLOWING SUMS FOR EACH ELDERLY PERSON RESIDING IN
2 THE COUNTY:
3 (1) IN STATE FISCAL YEARS BEGINNING ON OR AFTER THE FIRST DAY OF
4 APRIL, TWO THOUSAND TEN, THE SUM OF TWO HUNDRED NINE THOUSAND EIGHT
5 HUNDRED AND NINETY-SIX DOLLARS OR SIXTEEN DOLLARS AND SEVENTY-NINE CENTS
6 FOR EACH ELDERLY PERSON RESIDING IN THE COUNTY, WHICHEVER IS GREATER;
7 (2) IN STATE FISCAL YEARS BEGINNING ON OR AFTER THE FIRST DAY OF
8 APRIL, TWO THOUSAND ELEVEN, THE SUM OF TWO HUNDRED TWENTY-EIGHT THOUSAND
9 NINE HUNDRED AND EIGHTY-SEVEN DOLLARS OR EIGHTEEN DOLLARS AND THIRTY-ONE
10 CENTS FOR EACH ELDERLY PERSON RESIDING IN THE COUNTY, WHICHEVER IS
11 GREATER;
12 (3) IN STATE FISCAL YEARS BEGINNING ON OR AFTER THE FIRST DAY OF
13 APRIL, TWO THOUSAND TWELVE, THE SUM OF TWO HUNDRED FORTY-EIGHT THOUSAND
14 AND SEVENTY-EIGHT DOLLARS OR NINETEEN DOLLARS AND EIGHTY-FOUR CENTS FOR
15 EACH ELDERLY PERSON RESIDING IN THE COUNTY, WHICHEVER IS GREATER;
16 (4) IN STATE FISCAL YEARS BEGINNING ON OR AFTER THE FIRST DAY OF
17 APRIL, TWO THOUSAND THIRTEEN, THE SUM OF TWO HUNDRED EIGHTY-SIX THOUSAND
18 TWO HUNDRED SIXTY-ONE DOLLARS OR TWENTY-TWO DOLLARS AND NINETY CENTS FOR
19 EACH ELDERLY PERSON RESIDING IN THE COUNTY, WHICHEVER IS GREATER.
20 S 2. This act shall take effect immediately.