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

3056--A

2009-2010 Regular Sessions

I N S E N A T E

March 10, 2009

Introduced by Sens. SEWARD, ALESI, BONACIC, DeFRANCISCO, FUSCHILLO, GOLDEN, HANNON, LANZA, LARKIN, LAVALLE, LITTLE, MAZIARZ, MORAHAN, PADAVAN, RANZENHOFER, SALAND, VOLKER, YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Aging -- recommitted to the Committee on Aging in accordance with Senate Rule 6, sec. 8 -- 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:

Section 1. Subdivisions 1 and 2 of section 242 of the elder law, paragraph (b) of subdivision 1 and paragraphs (a) and (b) of subdivision 2 as amended by section 14 of part B of chapter 57 of the laws of 2006, are amended to read as follows:

1. Persons eligible for comprehensive coverage under section two hundred forty-seven of this title shall include:

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

(b) any married resident who is at least sixty-five years of age, OR ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI) BENEFITS, and whose income for the calendar year immediately preceding the effective date of the annual coverage period when combined with the income in the same calendar year of such married person's spouse begin-

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

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ning on or after January first, two thousand [one] ELEVEN, is less than or equal to twenty-six thousand dollars. After the initial determination of eligibility, each eligible individual must be redetermined eligible at least every twenty-four months.

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

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

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

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