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

5644

2009-2010 Regular Sessions

I N S E N A T E

May 26, 2009

Introduced by Sen. DUANE -- 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 levels in the elderly pharmaceutical insurance coverage program

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] TEN, 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 beginning on or after January first, two thousand [one] TEN, 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

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

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the effective date of the annual coverage period beginning on or after January first, two thousand [one] TEN, is more than twenty thousand and less than or equal to [thirty-five] FIFTY 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] TEN, is more than twenty-six thousand dollars and less than or equal to [fifty] SEVENTY-FIVE thousand dollars. After the initial determination of eligibility, each eligible individual must be redetermined eligible at least every twenty-four months.

S 2. Paragraphs (a) and (b) of subdivision 2 of section 248 of the elder law are amended to read as follows:

(a) Annual personal covered drug expenditures for unmarried individual eligible program participants:

individual income of $20,001 to $21,000	$530
individual income of $21,001 to $22,000	$550
individual income of $22,001 to $23,000	$580
individual income of $23,001 to $24,000	$720
individual income of $24,001 to $25,000	$750
individual income of $25,001 to $26,000	$780
individual income of $26,001 to $27,000	$810
individual income of $27,001 to $28,000	$840
individual income of $28,001 to $29,000	$870
individual income of $29,001 to $30,000	$900
individual income of $30,001 to $31,000	$930
individual income of $31,001 to $32,000	$960
individual income of $32,001 to $33,000	$1,160
individual income of $33,001 to $34,000	$1,190
individual income of $34,001 to [$35,000] $50,000	$1,230

(b) Annual personal covered drug expenditures for each married individual eligible program participant:

joint income of $26,001 to $27,000	$650
joint income of $27,001 to $28,000	$675
joint income of $28,001 to $29,000	$700
joint income of $29,001 to $30,000	$725
joint income of $30,001 to $31,000	$900
joint income of $31,001 to $32,000	$930
joint income of $32,001 to $33,000	$960
joint income of $33,001 to $34,000	$990
joint income of $34,001 to $35,000	$1,020
joint income of $35,001 to $36,000	$1,050
joint income of $36,001 to $37,000	$1,080
joint income of $37,001 to $38,000	$1,110
joint income of $38,001 to $39,000	$1,140
joint income of $39,001 to $40,000	$1,170
joint income of $40,001 to $41,000	$1,200
joint income of $41,001 to $42,000	$1,230
joint income of $42,001 to $43,000	$1,260
joint income of $43,001 to $44,000	$1,290
joint income of $44,001 to $45,000	$1,320

joint income of $45,001 to $46,000............................ $1,575
joint income of $46,001 to $47,000............................ $1,610
joint income of $47,001 to $48,000............................ $1,645
joint income of $48,001 to $49,000............................ $1,680
joint income of $49,001 to [$50,000] $75,000 .... $1,715

S 3. Paragraphs (a) and (b) of subdivision 4 of section 248 of the elder law are amended to read as follows:

(a) Limits on co-payments by unmarried individual eligible program participants:

individual income of $20,001 to $21,000........... no more than $1,050
individual income of $21,001 to $22,000........... no more than $1,100
individual income of $22,001 to $23,000........... no more than $1,150
individual income of $23,001 to $24,000........... no more than $1,200
individual income of $24,001 to $25,000........... no more than $1,250
individual income of $25,001 to $26,000........... no more than $1,300
individual income of $26,001 to $27,000........... no more than $1,350
individual income of $27,001 to $28,000........... no more than $1,400
individual income of $28,001 to $29,000........... no more than $1,450
individual income of $29,001 to $30,000........... no more than $1,500
individual income of $30,001 to $31,000........... no more than $1,550
individual income of $31,001 to $32,000........... no more than $1,600
individual income of $32,001 to $33,000........... no more than $1,650
individual income of $33,001 to $34,000........... no more than $1,700
individual income of $34,001 to [$35,000] $50,000 .... no more than $1,750

(b) Limits on co-payments by each married individual eligible program participant:

joint income of $26,001 to $27,000................ no more than $1,080
joint income of $27,001 to $28,000................ no more than $1,120
joint income of $28,001 to $29,000................ no more than $1,160
joint income of $29,001 to $30,000................ no more than $1,200
joint income of $30,001 to $31,000................ no more than $1,240
joint income of $31,001 to $32,000................ no more than $1,280
joint income of $32,001 to $33,000................ no more than $1,320
joint income of $33,001 to $34,000................ no more than $1,360
joint income of $34,001 to $35,000................ no more than $1,400
joint income of $35,001 to $36,000................ no more than $1,440
joint income of $36,001 to $37,000................ no more than $1,480
joint income of $37,001 to $38,000................ no more than $1,520
joint income of $38,001 to $39,000................ no more than $1,560
joint income of $39,001 to $40,000................ no more than $1,600
joint income of $40,001 to $41,000................ no more than $1,640
joint income of $41,001 to $42,000................ no more than $1,680
joint income of $42,001 to $43,000................ no more than $1,720
joint income of $43,001 to $44,000................ no more than $1,760
joint income of $44,001 to $45,000................ no more than $1,800
joint income of $45,001 to $46,000................ no more than $1,840
joint income of $46,001 to $47,000................ no more than $1,880
joint income of $47,001 to $48,000................ no more than $1,920
joint income of $48,001 to $49,000................ no more than $1,960
joint income of $49,001 to [$50,000] $75,000 .... no more than $2,000

S 4. This act shall take effect immediately.