

1104

2011-2012 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 5, 2011

---

Introduced by M. of A. KOLB, CASTELLI, CONTE, MURRAY, RAIA, REILICH, SALADINO, SAYWARD -- Multi-Sponsored by -- M. of A. AMEDORE, BARCLAY, BOYLE, BURLING, BUTLER, CALHOUN, CORWIN, CROUCH, FINCH, FITZPATRICK, GIGLIO, HAWLEY, HAYES, JORDAN, McDONOUGH, McKEVITT, J. MILLER, MOLINARO, OAKS, RABBITT, TEDISCO, TOBACCO -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to requiring the state to allow counties to opt out of certain Medicaid services

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

1     Section 1. Section 365-a of the social services law is amended by  
2     adding a new subdivision 10 to read as follows:  
3     10. (A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION OR ANY  
4     OTHER PROVISION OF LAW, ON AND AFTER THE EFFECTIVE DATE OF THIS SUBDIVI-  
5     SION, THE STATE IS REQUIRED TO ALLOW COUNTIES TO OPT OUT OF PROVIDING  
6     OPTIONAL MEDICAL ASSISTANCE SERVICES TO ANY NEW ENROLLEES WHO HAVE  
7     EITHER NEVER RECEIVED SUCH BENEFITS OR WHO HAVE REENROLLED AFTER A PERI-  
8     OD OF ABSENCE.  
9     (B) THE COMMISSIONER OF HEALTH IS AUTHORIZED TO APPLY FOR ANY AND ALL  
10    FEDERAL WAIVERS REQUIRED TO IMPLEMENT THE PROVISIONS OF THIS SUBDIVI-  
11    SION.  
12    S 2. This act shall take effect immediately.

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

LBD05163-01-1