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

2488

2011-2012 Regular Sessions

I N A S S E M B L Y

January 19, 2011

Introduced by M. of A. HOYT, CONTE -- read once and referred to the Committee on Insurance

AN ACT to amend the social services law, in relation to making live organ donors eligible for free coverage from family health plus; to amend the insurance law, in relation to providing for a free term life insurance policy for live organ donors; and to amend the education law, in relation to creating a post-graduation tuition assistance program for live organ donors

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

Section 1. Paragraph (a) of subdivision 2 of section 369-ee of the social services law is amended by adding a new subparagraph (vi) to read as follows:

(VI) HAS DONATED AN ORGAN IN THE PREVIOUS TWELVE MONTHS. AN INDIVIDUAL ELIGIBLE UNDER THIS PARAGRAPH SHALL BE ELIGIBLE FOR HEALTH CARE SERVICES UNDER THIS SECTION NOTWITHSTANDING ANY ADDITIONAL ELIGIBILITY REQUIREMENTS OUTLINED IN THIS SUBDIVISION. SUCH PERSON SHALL BE ELIGIBLE FOR HEALTH CARE SERVICES UNDER THIS SECTION WITHOUT PAYMENT OF PREMIUMS; PROVIDED, HOWEVER, THAT SUCH PERSON SHALL BE RESPONSIBLE FOR PAYMENT OF CO-PAYMENTS AND OTHERWISE SUBJECT TO THE LIMITATIONS OF COST AND SERVICES PROVIDED FOR IN THIS SECTION.

S 2. The insurance law is amended by adding a new section 3240 to read as follows:

S 3240. TERM LIFE INSURANCE FOR ORGAN DONATION. 1. AN INDIVIDUAL WHO HAS MADE A LIVE DONATION TO A REGISTERED ORGAN DONATION ORGANIZATION OR REGISTRY SHALL RECEIVE A FIVE YEAR TERM LIFE INSURANCE POLICY, UPON APPLICATION TO THE DEPARTMENT, SO LONG AS SUCH APPLICATION IS RECEIVED WITHIN TWELVE MONTHS OF THE DATE OF DONATION. SUCH APPLICATION SHALL BE ON FORMS PRESCRIBED BY THE SUPERINTENDENT.

2. THE TERMS AND CONDITIONS OF SUCH POLICY SHALL BE PROMULGATED BY THE SUPERINTENDENT, AS WELL AS WHETHER SUCH POLICY SHALL BE RENEWABLE;

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

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PROVIDED, HOWEVER, THAT NO PERSON ELIGIBLE FOR SUCH POLICY UNDER THIS SECTION SHALL BE REQUIRED TO PASS OR OTHERWISE BE SUBJECT TO A PHYSICIAN'S EXAMINATION; PROVIDED, HOWEVER, THAT THE DEPARTMENT MAY CONSIDER SUCH INDIVIDUAL'S HEALTH HISTORY AND MEDICAL RECORDS FOR ACTUARIAL PURPOSES.

S 3. The education law is amended by adding a new section 667-b to read as follows:

S 667-B. POST-GRADUATION TUITION ASSISTANCE PROGRAM. 1. RECIPIENT QUALIFICATIONS. AN INDIVIDUAL WHO HAS MADE A LIVE DONATION TO A REGISTERED ORGAN DONATION ORGANIZATION OR REGISTRY SHALL BE ELIGIBLE TO APPLY FOR A POST-GRADUATION TUITION ASSISTANCE PROGRAM GRANT FOR THE PURPOSE OF AMELIORATION OF STUDENT LOAN DEBT.

2. OPERATION. (A) THE POST-GRADUATION TUITION ASSISTANCE PROGRAM SHALL BE GOVERNED BY ALL LAW, RULES AND REGULATIONS PERTAINING TO THE TUITION ASSISTANCE PROGRAM PROVIDED HOWEVER:

(I) ELIGIBILITY FOR POST-GRADUATION TUITION ASSISTANCE PROGRAM AWARDS SHALL BE LIMITED TO INDIVIDUALS WHO HAVE RECEIVED AN ASSOCIATE'S, BACHELOR'S, OR GRADUATE DEGREE FROM AN ACCREDITED DEGREE GRANTING INSTITUTION;

(II) MONIES DISBURSED UNDER THIS SECTION SHALL BE MADE PAYABLE DIRECTLY TO A STUDENT LOAN PROVIDER FOR THE PURPOSE OF RETIRING SUCH DEBT;

(III) NO INDIVIDUAL SHALL BE ELIGIBLE FOR MORE THAN ONE GRANT AS PROVIDED FOR UNDER THIS SECTION.

(B) POST-GRADUATION TUITION ASSISTANCE PROGRAM GRANTS SHALL BE AVAILABLE SUBJECT TO THE FOLLOWING LIMITATIONS:

(I) FOR ELIGIBLE INDIVIDUALS WITH LESS THAN TWENTY-FIVE THOUSAND DOLLARS IN OUTSTANDING STUDENT LOAN DEBT SUCH GRANTS SHALL NOT EXCEED SEVEN THOUSAND FIVE HUNDRED DOLLARS;

(II) FOR ELIGIBLE INDIVIDUALS WITH MORE THAN TWENTY-FIVE THOUSAND DOLLARS BUT LESS THAN FIFTY THOUSAND DOLLARS IN OUTSTANDING STUDENT LOAN DEBT SUCH GRANTS SHALL NOT EXCEED TEN THOUSAND DOLLARS;

(III) FOR ELIGIBLE INDIVIDUALS WITH MORE THAN FIFTY THOUSAND DOLLARS IN OUTSTANDING STUDENT LOAN DEBT SUCH GRANTS SHALL NOT EXCEED TWELVE THOUSAND FIVE HUNDRED DOLLARS.

3. REGULATIONS. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS TO EFFECTUATE THE PROVISIONS OF THIS SECTION.

S 4. This act shall take effect immediately.