

3199

2011-2012 Regular Sessions

I N   S E N A T E

February 11, 2011

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Introduced by Sen. HANNON -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the social services law and the insurance law, in relation to directing the department of health to submit an amendment to the plan for medical assistance; and to direct the department of insurance to adopt any necessary conforming amendments to regulations or other rules

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

- 1     Section 1. Section 367-f of the social services law is amended by  
2     adding a new subdivision 4 to read as follows:  
3     4. THE DEPARTMENT OF HEALTH IS HEREBY AUTHORIZED AND DIRECTED TO  
4     SUBMIT TO THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES A REQUEST  
5     FOR THE AMENDMENT OF THE PLAN FOR MEDICAL ASSISTANCE, WHICH IS MAIN-  
6     TAINED IN ACCORDANCE WITH TITLE XIX, OR ANY SUCCESSOR TITLE, OF THE  
7     FEDERAL SOCIAL SECURITY ACT, TO ADOPT ANY AND ALL STANDARDS THAT MAY BE  
8     DEVELOPED BY THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES PURSU-  
9     ANT TO SECTION 6021(B) OF THE FEDERAL DEFICIT REDUCTION ACT OF 2005, FOR  
10    UNIFORM RECIPROCAL RECOGNITION OF LONG-TERM CARE INSURANCE POLICIES  
11    PURCHASED UNDER STATE LONG-TERM CARE INSURANCE PARTNERSHIPS. SUCH  
12    REQUEST SHALL BE MADE WITHIN SIX MONTHS OF THE PROMULGATION OF SUCH  
13    STANDARDS BY THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND,  
14    EXCEPT AS REQUIRED BY SUCH STANDARDS, SUCH UNIFORM RECIPROCAL RECOGNI-  
15    TION OF LONG-TERM CARE INSURANCE POLICIES SHALL APPLY WITHOUT REGARD TO  
16    WHEN A POLICY IS ISSUED.  
17    S 2. Section 3229 of the insurance law is amended by adding a new  
18    subsection (c) to read as follows:  
19    (C) THE SUPERINTENDENT SHALL ADOPT SUCH RULES OR REGULATIONS, OR AMEND  
20    SUCH RULES AND REGULATIONS, AS MAY BE NECESSARY TO CONFORM TO THE  
21    REQUIREMENTS OF ANY AMENDMENT TO THE PLAN FOR MEDICAL ASSISTANCE, WHICH  
22    IS MAINTAINED IN ACCORDANCE WITH TITLE XIX, OR ANY SUCCESSOR TITLE, OF  
23    THE FEDERAL SOCIAL SECURITY ACT, MADE PURSUANT TO SUBDIVISION FOUR OF  
24    SECTION THREE HUNDRED SIXTY-SEVEN-F OF THE SOCIAL SERVICES LAW.  
25    S 3. This act shall take effect immediately.

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

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