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

6193

2011-2012 Regular Sessions

I N A S S E M B L Y

March 9, 2011

Introduced by M. of A. SMARDZ, GIGLIO, FINCH, RAIA, GOODELL, HAWLEY, KATZ -- Multi-Sponsored by -- M. of A. CONTE, P. LOPEZ, McLAUGHLIN, PALMESANO, SAYWARD -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to state payment of all optional medical assistance services

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

Section 1. Section 365-a of the social services law is amended by adding a new subdivision 10 to read as follows:

10. (A) NOTWITHSTANDING ANY INCONSISTENT PROVISION OF THIS SECTION OR OF ANY OTHER PROVISION OF LAW, THE STATE IS HEREBY AUTHORIZED TO ALLEVIATE THE COUNTY COST OF MEDICAL ASSISTANCE PAYMENTS AND TO PROVIDE FISCAL RELIEF TO EACH LOCAL SOCIAL SERVICES DISTRICT BY ASSUMING EXPENDITURES FOR ALL OPTIONAL SERVICES OFFERED BY THE MEDICAL ASSISTANCE PROGRAM IN THE STATE. THE STATE SHALL PHASE-IN SUCH FISCAL RELIEF OVER A FIVE-YEAR PERIOD AND ANY SAVINGS A LOCAL SOCIAL SERVICES DISTRICT REALIZES AT THE END OF SUCH FIVE-YEAR PERIOD SHALL BE REIMBURSED TO THE LOCAL SOCIAL SERVICES DISTRICT AND/OR COUNTY TO OFFSET THE COST OF REAL PROPERTY TAXES. SUCH OPTIONAL SERVICES THAT THE STATE SHALL ASSUME THE EXPENDITURES FOR ARE THOSE OPTIONAL SERVICES PROVIDED BY APPLICABLE STATE LAW. ANY FEDERALLY MANDATED MEDICAL ASSISTANCE SERVICES ARE EXEMPT FROM THE PROVISIONS OF THIS SUBDIVISION.

(B) THE COMMISSIONER OF HEALTH IS AUTHORIZED TO APPLY FOR ANY AND ALL FEDERAL WAIVERS REQUIRED TO IMPLEMENT THE PROVISIONS OF THIS SUBDIVISION.

S 2. 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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