

2380

2011-2012 Regular Sessions

I N   S E N A T E

January 19, 2011

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Introduced by Sens. SEWARD, BONACIC, DeFRANCISCO, FUSCHILLO, GOLDEN, HANNON, LANZA, LARKIN, MAZIARZ, O'MARA, RANZENHOFER -- 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 making certain persons who are eligible for or receiving social security disability insurance benefits eligible for elderly pharmaceutical insurance coverage

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

1     Section 1. Subdivisions 1 and 2 of section 242 of the elder law, para-  
2 graph (b) of subdivision 1 and paragraphs (a) and (b) of subdivision 2  
3 as amended by section 14 of part B of chapter 57 of the laws of 2006,  
4 are amended to read as follows:  
5     1. Persons eligible for comprehensive coverage under section two  
6 hundred forty-seven of this title shall include:  
7     (a) any unmarried resident who is at least sixty-five years of age, OR  
8 ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI)  
9 BENEFITS, and whose income for the calendar year immediately preceding  
10 the effective date of the annual coverage period beginning on or after  
11 January first, two thousand [five] TWELVE, is less than or equal to  
12 twenty thousand dollars. After the initial determination of eligibil-  
13 ity, each eligible individual must be redetermined eligible at least  
14 every twenty-four months; and  
15     (b) any married resident who is at least sixty-five years of age, OR  
16 ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI)  
17 BENEFITS, and whose income for the calendar year immediately preceding  
18 the effective date of the annual coverage period when combined with the  
19 income in the same calendar year of such married person's spouse begin-  
20 ning on or after January first, two thousand [one] TWELVE, is less than  
21 or equal to twenty-six thousand dollars. After the initial determination

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

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1 of eligibility, each eligible individual must be redetermined eligible  
2 at least every twenty-four months.

3 2. Persons eligible for catastrophic coverage under section two  
4 hundred forty-eight of this title shall include:

5 (a) any unmarried resident who is at least sixty-five years of age, OR  
6 ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI)  
7 BENEFITS, and whose income for the calendar year immediately preceding  
8 the effective date of the annual coverage period beginning on or after  
9 January first, two thousand [one] TWELVE, is more than twenty thousand  
10 and less than or equal to thirty-five thousand dollars. After the  
11 initial determination of eligibility, each eligible individual must be  
12 redetermined eligible at least every twenty-four months; and

13 (b) any married resident who is at least sixty-five years of age, OR  
14 ELIGIBLE FOR OR RECEIVING SOCIAL SECURITY DISABILITY INSURANCE (SSDI)  
15 BENEFITS, and whose income for the calendar year immediately preceding  
16 the effective date of the annual coverage period when combined with the  
17 income in the same calendar year of such married person's spouse begin-  
18 ning on or after January first, two thousand [one] TWELVE, is more than  
19 twenty-six thousand dollars and less than or equal to fifty thousand  
20 dollars. After the initial determination of eligibility, each eligible  
21 individual must be redetermined eligible at least every twenty-four  
22 months.

23 S 2. This act shall take effect on the one hundred twentieth day after  
24 it shall have become a law.