

8055

2013-2014 Regular Sessions

I N A S S E M B L Y

June 17, 2013

Introduced by M. of A. ABBATE -- read once and referred to the Committee
on Governmental Employees

AN ACT to amend chapter 56 of the laws of 2013, relating to providing
medical assistance to certain retirees of the New York city off-track
betting corporation, in relation to lien recovery

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

1 Section 1. Section 1 of part P of chapter 56 of the laws of 2013,
2 relating to providing medical assistance to certain retirees of the New
3 York city off-track betting corporation is amended to read as follows:
4 Section 1. Notwithstanding any other provision of law, for state
5 fiscal year 2013-14, and for each state fiscal year thereafter, up to
6 five million dollars shall be available annually to provide medical
7 assistance for individuals who reside in New York state and are retirees
8 of the New York city off-track betting corporation or were active
9 employees of such corporation with vested pension time or credit as of
10 December 7, 2010, and for the dependents of such individuals, in accord-
11 ance with the provisions of this section. Such individuals who are Medi-
12 care beneficiaries under title XVIII of the federal social security act
13 shall be eligible for assistance under title 11 of article 5 of the
14 social services law with the cost of Medicare premiums and/or cost shar-
15 ing obligations, as determined in accordance with guidelines established
16 by the commissioner of health. For the period from April 1, 2013 to
17 December 31, 2013, such individuals who are not Medicare beneficiaries
18 under title XVIII of the federal social security act shall be eligible
19 for standard fee-for-service coverage under title 11 of article 5 of the
20 social services law, as determined in accordance with guidelines estab-
21 lished by the commissioner of health. Prior to October 1, 2013, the
22 state enrollment center shall provide a written notice of program
23 discontinuance that will become effective as of December 31, 2013, to
24 each individual eligible by a Medicaid fee-for-service plan established

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

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1 pursuant to this section. The notice shall be in such form and contain
2 such information as the commissioner of health may require. In addition
3 to any other information required by such commissioner, the written
4 notice shall include a conspicuous explanation, in plain language,
5 informing such individual of available health insurance options, includ-
6 ing coverage through the health benefit exchange established pursuant to
7 section 1311 of the federal affordable care act, (42 USC S 18031) and
8 information on the process by which application therefore may be made
9 through the state enrollment center in order to effectuate health cover-
10 age under the health benefit exchange for such individuals beginning on
11 January 1, 2014. Such commissioner shall direct the state enrollment
12 center to facilitate the enrollment of such individuals into the health
13 benefit exchange established in accordance with the requirements of the
14 federal patient protection and affordable care act (P.L. 111-148), as
15 amended by the federal health care and education act of 2010 (P.L. 111-
16 152). PROVIDED, HOWEVER, THAT NONE OF THE COST RECOVERY PROVISIONS OF
17 SECTION 369 OF THE SOCIAL SERVICES LAW, WITH THE EXCEPTION OF SUBPARA-
18 GRAPH (I) OF PARAGRAPH (A) OF SUBDIVISION 2 OF SUCH SECTION, SHALL APPLY
19 TO THE RETIREES OF THE NEW YORK CITY OFF-TRACK BETTING CORPORATION, OR
20 THOSE WHO WERE ACTIVE EMPLOYEES OF SUCH CORPORATION WITH VESTED PENSION
21 TIME OR CREDIT AS OF DECEMBER 7, 2010, AND THEIR DEPENDENTS. Upon notice
22 to participating individuals, the size and scope of program benefits in
23 a given fiscal year may be reduced by the commissioner of health to
24 remain within program funding levels.

25 S 2. This act shall take effect immediately and shall be deemed to
26 have been in full force and effect on and after March 28, 2013.