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

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I N S E N A T E

March 4, 2014

Introduced by Sens. VALESKY, AVELLA, CARLUCCI, KLEIN, SAVINO -- 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 eligibility levels in the elderly pharmaceutical insurance coverage program

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

Section 1. Subdivision 3 of section 241 of the elder law is amended to read as follows:

3. "Income" shall mean "household gross income" as defined in the real property tax circuit breaker credit program, pursuant to subparagraph (C) of paragraph one of subsection (e) of section six hundred six of the tax law, [but] EXCLUDING ANY PAYMENTS RECEIVED UNDER THE FEDERAL SOCIAL SECURITY ACT, AND only shall include the income of program applicants and spouses and shall exclude the income of other members of the household.

S 2. Subdivision 2 of section 242 of the elder law, as added by section 5 of part T of chapter 56 of the laws of 2012, is amended to read as follows:

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

(a) any unmarried resident who is at least sixty-five years of age and whose income for the calendar year immediately preceding the effective date of the annual coverage period beginning on or after January first, two thousand one, is more than twenty thousand and less than or equal to [thirty-five] SEVENTY-FIVE thousand dollars. After the initial determination of eligibility, each eligible individual must be redetermined eligible at least every twenty-four months; and

(b) any married resident who is at least sixty-five years of age and whose income for the calendar year immediately preceding the effective date of the annual coverage period when combined with the income in the same calendar year of such married person's spouse beginning on or after January first, two thousand one, is more than twenty-six thousand dollars and less than or equal to [fifty] ONE HUNDRED thousand dollars.

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

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After the initial determination of eligibility, each eligible individual must be redetermined eligible at least every twenty-four months.

S 3. Paragraphs (a) and (b) of subdivision 2 of section 248 of the elder law, as added by section 17 of part T of chapter 56 of the laws of 2012, are amended to read as follows:

(a) Annual personal covered drug expenditures for unmarried individual eligible program participants:

individual income of $20,001 to [$21,000] $42,000	$530
individual income of [$21,001] $42,001 to [$22,000] $44,000	$550
individual income of [$22,001] $44,001 to [$23,000] $46,000	$580
individual income of [$23,001] $46,001 to [$24,000] $48,000	$720
individual income of [$24,001] $48,001 to [$25,000] $50,000	$750
individual income of [$25,001] $50,001 to [$26,000] $52,000	$780
individual income of [$26,001] $52,001 to [$27,000] $54,000	$810
individual income of [$27,001] $54,001 to [$28,000] $56,000	$840
individual income of [$28,001] $56,001 to [$29,000] $58,000	$870
individual income of [$29,001] $58,001 to [$30,000] $60,000	$900
individual income of [$30,001] $60,001 to [$31,000] $62,000	$930
individual income of [$31,001] $62,001 to [$32,000] $64,000	$960
individual income of [$32,001] $64,001 to [$33,000] $66,000	$1,160
individual income of [$33,001] $66,001 to [$34,000] $68,000	$1,190
individual income of [$34,001] $68,001 to [$35,000] $75,000	$1,230

(b) Annual personal covered drug expenditures for each married individual eligible program participant:

joint income of $26,001 to [$27,000] $54,000	$650
joint income of [$27,001] $54,001 to [$28,000] $56,000	$675
joint income of [$28,001] $56,001 to [$29,000] $58,000	$700
joint income of [$29,001] $58,001 to [$30,000] $60,000	$725
joint income of [$30,001] $60,001 to [$31,000] $62,000	$900
joint income of [$31,001] $62,001 to [$32,000] $64,000	$930
joint income of [$32,001] $64,001 to [$33,000] $66,000	$960
joint income of [$33,001] $66,001 to [$34,000] $68,000	$990
joint income of [$34,001] $68,001 to [$35,000] $70,000	$1,020

joint income of [$35,001] $70,001 $1,050
to [$36,000] $72,000
joint income of [$36,001] $72,001 $1,080
to [$37,000] $74,000
joint income of [$37,001] $74,001 $1,110
to [$38,000] $76,000
joint income of [$38,001] $76,001 $1,140
to [$39,000] $78,000
joint income of [$39,001] $78,001 $1,170
to [$40,000] $80,000
joint income of [$40,001] $80,001 $1,200
to [$41,000] $82,000
joint income of [$41,001] $82,001 $1,230
to [$42,000] $84,000
joint income of [$42,001] $84,001 $1,260
to [$43,000] $86,000
joint income of [$43,001] $86,001 $1,290
to [$44,000] $88,000
joint income of [$44,001] $88,001 $1,320
to [$45,000] $90,000
joint income of [$45,001] $90,001 $1,575
to [$46,000] $92,000
joint income of [$46,001] $92,001 $1,610
to [$47,000] $94,000
joint income of [$47,001] $94,001 $1,645
to [$48,000] $96,000
joint income of [$48,001] $96,001 $1,680
to [$49,000] $98,000
joint income of [$49,001] $98,001 $1,715
to [$50,000] $100,000

S 4. Paragraphs (a) and (b) of subdivision 4 of section 248 of the elder law, as added by section 17 of part T of chapter 56 of the laws of 2012, are amended to read as follows:

(a) Limits on co-payments by unmarried individual eligible program participants:

individual income of $20,001
to [$21,000] $42,000 no more than $1,050
individual income of [$21,001] $42,001
to [$22,000] $44,000 no more than $1,100
individual income of [$22,001] $44,001
to [$23,000] $46,000 no more than $1,150
individual income of [$23,001] $46,001
to [$24,000] $48,000 no more than $1,200
individual income of [$24,001] $48,001
to [$25,000] $50,000 no more than $1,250
individual income of [$25,001] $50,001
to [$26,000] $52,000 no more than $1,300
individual income of [$26,001] $52,001
to [$27,000] $54,000 no more than $1,350
individual income of [$27,001] $54,001
to [$28,000] $56,000 no more than $1,400
individual income of [$28,001] $56,001
to [$29,000] $58,000 no more than $1,450
individual income of [$29,001] $58,001
to [$30,000] $60,000 no more than $1,500
individual income of [$30,001] $60,001

to [$31,000] $62,000 no more than $1,550
individual income of [$31,001] $62,001
to [$32,000] $64,000 no more than $1,600
individual income of [$32,001] $64,001
to [$33,000] $66,000 no more than $1,650
individual income of [$33,001] $66,001
to [$34,000] $68,000 no more than $1,700
individual income of [$34,001] $68,001
to [$35,000] $75,000 no more than $1,750

(b) Limits on co-payments by each married individual eligible program participant:

joint income of $26,001
to [$27,000] $54,000 no more than $1,08
joint income of [$27,001] $54,001
to [$28,000] $56,000 no more than $1,120
joint income of [$28,001] $56,001
to [$29,000] $58,000 no more than $1,160
joint income of [$29,001] $58,001
to [$30,000] $60,000 no more than $1,200
joint income of [$30,001] $60,001
to [$31,000] $62,000 no more than $1,240
joint income of [$31,001] $62,001
to [$32,000] $64,000 no more than $1,280
joint income of [$32,001] $64,001
to [$33,000] $66,000 no more than $1,320
joint income of [$33,001] $66,001
to [$34,000] $68,000 no more than $1,360
joint income of [$34,001] $68,001
to [$35,000] $70,000 no more than $1,400
joint income of [$35,001] $70,001
to [$36,000] $72,000 no more than $1,440
joint income of [$36,001] $72,001
to [$37,000] $74,000 no more than $1,480
joint income of [$37,001] $74,001
to [$38,000] $76,000 no more than $1,520
joint income of [$38,001] $76,001
to [$39,000] $78,000 no more than $1,560
joint income of [$39,001] $78,001
to [$40,000] $80,000 no more than $1,600
joint income of [$40,001] $80,001
to [$41,000] $82,000 no more than $1,640
joint income of [$41,001] $82,001
to [$42,000] $84,000 no more than $1,680
joint income of [$42,001] $84,001
to [$43,000] $86,000 no more than $1,720
joint income of [$43,001] $86,001
to [$44,000] $88,000 no more than $1,760
joint income of [$44,001] $88,001
to [$45,000] $90,000 no more than $1,800
joint income of [$45,001] $90,001
to [$46,000] $92,000 no more than $1,840
joint income of [$46,001] $92,001
to [$47,000] $94,000 no more than $1,880
joint income of [$47,001] $94,001
to [$48,000] $96,000 no more than $1,920
joint income of [$48,001] $96,001

to [$49,000] $98,000	no more than $1,960
joint income of [$49,001] $98,001	
to [$50,000] $100,000	no more than $2,000

S 5. This act shall take effect immediately.