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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:

- 1 Section 1. Subdivision 3 of section 241 of the elder law is amended to
2 read as follows:
3 3. "Income" shall mean "household gross income" as defined in the real
4 property tax circuit breaker credit program, pursuant to subparagraph
5 (C) of paragraph one of subsection (e) of section six hundred six of the
6 tax law, [but] EXCLUDING ANY PAYMENTS RECEIVED UNDER THE FEDERAL SOCIAL
7 SECURITY ACT, AND only shall include the income of program applicants
8 and spouses and shall exclude the income of other members of the house-
9 hold.
10 S 2. Subdivision 2 of section 242 of the elder law, as added by
11 section 5 of part T of chapter 56 of the laws of 2012, is amended to
12 read as follows:
13 2. Persons eligible for catastrophic coverage under section two
14 hundred forty-eight of this title shall include:
15 (a) any unmarried resident who is at least sixty-five years of age and
16 whose income for the calendar year immediately preceding the effective
17 date of the annual coverage period beginning on or after January first,
18 two thousand one, is more than twenty thousand and less than or equal to
19 [thirty-five] SEVENTY-FIVE thousand dollars. After the initial determi-
20 nation of eligibility, each eligible individual must be redetermined
21 eligible at least every twenty-four months; and
22 (b) any married resident who is at least sixty-five years of age and
23 whose income for the calendar year immediately preceding the effective
24 date of the annual coverage period when combined with the income in the
25 same calendar year of such married person's spouse beginning on or after
26 January first, two thousand one, is more than twenty-six thousand
27 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.

LBD13205-01-3

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

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

1	joint income of [\$35,001]	\$70,001	\$1,050
2	to [\$36,000]	\$72,000	
3	joint income of [\$36,001]	\$72,001	\$1,080
4	to [\$37,000]	\$74,000	
5	joint income of [\$37,001]	\$74,001	\$1,110
6	to [\$38,000]	\$76,000	
7	joint income of [\$38,001]	\$76,001	\$1,140
8	to [\$39,000]	\$78,000	
9	joint income of [\$39,001]	\$78,001	\$1,170
10	to [\$40,000]	\$80,000	
11	joint income of [\$40,001]	\$80,001	\$1,200
12	to [\$41,000]	\$82,000	
13	joint income of [\$41,001]	\$82,001	\$1,230
14	to [\$42,000]	\$84,000	
15	joint income of [\$42,001]	\$84,001	\$1,260
16	to [\$43,000]	\$86,000	
17	joint income of [\$43,001]	\$86,001	\$1,290
18	to [\$44,000]	\$88,000	
19	joint income of [\$44,001]	\$88,001	\$1,320
20	to [\$45,000]	\$90,000	
21	joint income of [\$45,001]	\$90,001	\$1,575
22	to [\$46,000]	\$92,000	
23	joint income of [\$46,001]	\$92,001	\$1,610
24	to [\$47,000]	\$94,000	
25	joint income of [\$47,001]	\$94,001	\$1,645
26	to [\$48,000]	\$96,000	
27	joint income of [\$48,001]	\$96,001	\$1,680
28	to [\$49,000]	\$98,000	
29	joint income of [\$49,001]	\$98,001	\$1,715
30	to [\$50,000]	\$100,000	

31 S 4. Paragraphs (a) and (b) of subdivision 4 of section 248 of the
 32 elder law, as added by section 17 of part T of chapter 56 of the laws of
 33 2012, are amended to read as follows:

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

36	individual income of \$20,001		
37	to [\$21,000]	\$42,000	no more than \$1,050
38	individual income of [\$21,001]	\$42,001	
39	to [\$22,000]	\$44,000	no more than \$1,100
40	individual income of [\$22,001]	\$44,001	
41	to [\$23,000]	\$46,000	no more than \$1,150
42	individual income of [\$23,001]	\$46,001	
43	to [\$24,000]	\$48,000	no more than \$1,200
44	individual income of [\$24,001]	\$48,001	
45	to [\$25,000]	\$50,000	no more than \$1,250
46	individual income of [\$25,001]	\$50,001	
47	to [\$26,000]	\$52,000	no more than \$1,300
48	individual income of [\$26,001]	\$52,001	
49	to [\$27,000]	\$54,000	no more than \$1,350
50	individual income of [\$27,001]	\$54,001	
51	to [\$28,000]	\$56,000	no more than \$1,400
52	individual income of [\$28,001]	\$56,001	
53	to [\$29,000]	\$58,000	no more than \$1,450
54	individual income of [\$29,001]	\$58,001	
55	to [\$30,000]	\$60,000	no more than \$1,500
56	individual income of [\$30,001]	\$60,001	

1	to [\$31,000] \$62,000	no more than \$1,550
2	individual income of [\$31,001] \$62,001	
3	to [\$32,000] \$64,000	no more than \$1,600
4	individual income of [\$32,001] \$64,001	
5	to [\$33,000] \$66,000	no more than \$1,650
6	individual income of [\$33,001] \$66,001	
7	to [\$34,000] \$68,000	no more than \$1,700
8	individual income of [\$34,001] \$68,001	
9	to [\$35,000] \$75,000	no more than \$1,750
10	(b) Limits on co-payments by each married individual eligible program participant:	
11		
12	joint income of \$26,001	
13	to [\$27,000] \$54,000	no more than \$1,08
14	joint income of [\$27,001] \$54,001	
15	to [\$28,000] \$56,000	no more than \$1,120
16	joint income of [\$28,001] \$56,001	
17	to [\$29,000] \$58,000	no more than \$1,160
18	joint income of [\$29,001] \$58,001	
19	to [\$30,000] \$60,000	no more than \$1,200
20	joint income of [\$30,001] \$60,001	
21	to [\$31,000] \$62,000	no more than \$1,240
22	joint income of [\$31,001] \$62,001	
23	to [\$32,000] \$64,000	no more than \$1,280
24	joint income of [\$32,001] \$64,001	
25	to [\$33,000] \$66,000	no more than \$1,320
26	joint income of [\$33,001] \$66,001	
27	to [\$34,000] \$68,000	no more than \$1,360
28	joint income of [\$34,001] \$68,001	
29	to [\$35,000] \$70,000	no more than \$1,400
30	joint income of [\$35,001] \$70,001	
31	to [\$36,000] \$72,000	no more than \$1,440
32	joint income of [\$36,001] \$72,001	
33	to [\$37,000] \$74,000	no more than \$1,480
34	joint income of [\$37,001] \$74,001	
35	to [\$38,000] \$76,000	no more than \$1,520
36	joint income of [\$38,001] \$76,001	
37	to [\$39,000] \$78,000	no more than \$1,560
38	joint income of [\$39,001] \$78,001	
39	to [\$40,000] \$80,000	no more than \$1,600
40	joint income of [\$40,001] \$80,001	
41	to [\$41,000] \$82,000	no more than \$1,640
42	joint income of [\$41,001] \$82,001	
43	to [\$42,000] \$84,000	no more than \$1,680
44	joint income of [\$42,001] \$84,001	
45	to [\$43,000] \$86,000	no more than \$1,720
46	joint income of [\$43,001] \$86,001	
47	to [\$44,000] \$88,000	no more than \$1,760
48	joint income of [\$44,001] \$88,001	
49	to [\$45,000] \$90,000	no more than \$1,800
50	joint income of [\$45,001] \$90,001	
51	to [\$46,000] \$92,000	no more than \$1,840
52	joint income of [\$46,001] \$92,001	
53	to [\$47,000] \$94,000	no more than \$1,880
54	joint income of [\$47,001] \$94,001	
55	to [\$48,000] \$96,000	no more than \$1,920
56	joint income of [\$48,001] \$96,001	

1	to [\$49,000] \$98,000	no more than \$1,960
2	joint income of [\$49,001] \$98,001	
3	to [\$50,000] \$100,000	no more than \$2,000
4	S 5. This act shall take effect immediately.	