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2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. ROSENTHAL, WEPRIN -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to authorizing Medicaid coverage to disabled persons attending an out-of-state college or university who are in need of continuous medical care

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

1 Section 1. Section 366 of the social services law is amended by
2 adding a new subdivision 16 to read as follows:
3 16. (A) NOTWITHSTANDING ANY INCONSISTENT PROVISIONS OF THIS CHAPTER OR
4 ANY OTHER PROVISION OF LAW TO THE CONTRARY, A DISABLED PERSON SHALL BE
5 ELIGIBLE FOR MEDICAL ASSISTANCE WHERE HE OR SHE IS ATTENDING A COLLEGE
6 OR UNIVERSITY OUTSIDE OF THE STATE AND SUCH PERSON REQUIRES CONTINUOUS
7 MEDICAL CARE AND IS A DOMICILIARY OF THE STATE OF NEW YORK.
8 (B) DISABLED PERSONS SHALL CONTINUE TO RECEIVE MEDICAL ASSISTANCE FOR
9 SERVICES AND CARE THEY RECEIVED WHILE IN THE STATE IF SUCH SERVICES AND
10 CARE ARE NEEDED WHILE ATTENDING AN OUT-OF-STATE COLLEGE OR UNIVERSITY.
11 (C) PERSONS ELIGIBLE FOR THE PROVISIONS OF THIS SUBDIVISION SHALL
12 PROVIDE TO THEIR LOCAL DEPARTMENT OF SOCIAL SERVICES, PROOF OF ENROLL-
13 MENT EVERY SEMESTER IN THE OUT-OF-STATE COLLEGE OR UNIVERSITY.
14 (D) FOR PURPOSES OF THIS SUBDIVISION:
15 (1) "DOMICILIARY" SHALL MEAN A PERSON WHOSE DOMICILE IS WITHIN THE
16 STATE OF NEW YORK.
17 (2) "DOMICILE" SHALL MEAN A FIXED, PERMANENT AND PRINCIPAL HOME TO
18 WHICH A PERSON WHEREVER TEMPORARILY LOCATED ALWAYS INTENDS TO RETURN.
19 S 2. This act shall take effect on the ninetieth day after it shall
20 have become a law.

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

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