

2330

2013-2014 Regular Sessions

I N   S E N A T E

January 16, 2013

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Introduced by Sens. KLEIN, ADAMS, ADDABBO, BRESLIN, DIAZ, DILAN, HASSELL-THOMPSON, KRUEGER, PARKER, SAVINO, SERRANO, SMITH, STAVISKY, VALESKY -- 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,  
2     subdivision 1 as amended by section 4 and subdivision 2 as added by  
3     section 5 of part T of chapter 56 of the laws of 2012, are amended to  
4     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, is less than or equal to twenty thou-  
12    sand dollars. After the initial determination of eligibility, each  
13    eligible individual must be redetermined eligible at least every twen-  
14    ty-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, is less than or equal  
21    to twenty-six thousand dollars. After the initial determination of

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

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1 eligibility, each eligible individual must be redetermined eligible at  
2 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, is more than twenty thousand and less  
10 than or equal to thirty-five thousand dollars. After the initial deter-  
11 mination of eligibility, each eligible individual must be redetermined  
12 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, is more than twenty-  
19 six thousand dollars and less than or equal to fifty thousand dollars.  
20 After the initial determination of eligibility, each eligible individual  
21 must be redetermined eligible at least every twenty-four months.

22 S 2. This act shall take effect on the one hundred eightieth day after  
23 it shall have become a law and shall apply to benefits paid on or after  
24 such effective date. Effective immediately the executive director of the  
25 elderly pharmaceutical insurance coverage panel may promulgate any rules  
26 and regulations necessary for the implementation of this act.