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

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I N A S S E M B L Y

February 18, 2016

Introduced by M. of A. O'DONNELL -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to medical assistance for certain inmates at local or state correctional facilities

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

Section 1. Subdivision 1-a of section 366 of the social services law, as added by chapter 355 of the laws of 2007, is amended to read as follows:

1-a. Notwithstanding any other provision of law, in the event that a person who is an inmate of a state or local correctional facility, as defined in section two of the correction law, was in receipt of medical assistance pursuant to this title immediately prior to being admitted to such facility, such person shall remain eligible for medical assistance while an inmate, except that no medical assistance shall be furnished pursuant to this title for any care, services, or supplies provided during such time as the person is an inmate; provided, however, that nothing herein shall be deemed as preventing the provision of medical assistance for inpatient hospital services furnished to an inmate at a hospital outside of the premises of such correctional facility OR PURSUANT TO OTHER FEDERAL AUTHORITY AUTHORIZING THE PROVISION OF MEDICAL ASSISTANCE TO AN INMATE OF A STATE OR LOCAL CORRECTIONAL FACILITY DURING THE THIRTY DAYS PRIOR TO RELEASE, to the extent that federal financial participation is available for the costs of such services. Upon release from such facility, such person shall continue to be eligible for receipt of medical assistance furnished pursuant to this title until such time as the person is determined to no longer be eligible for receipt of such assistance. To the extent permitted by federal law, the time during which such person is an inmate shall not be included in any calculation of when the person must recertify his or her eligibility for medical assistance in accordance with this article. THE STATE SHALL SEEK FEDERAL AUTHORITY TO PROVIDE MEDICAL ASSISTANCE FOR TRANSITIONAL SERVICES INCLUDING BUT NOT LIMITED TO MEDICAL, PRESCRIPTION, AND CARE

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

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COORDINATION SERVICES FOR HIGH NEEDS INMATES IN STATE AND LOCAL CORRECTIONAL FACILITIES DURING THE THIRTY DAYS PRIOR TO RELEASE.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.