

146

2015-2016 Regular Sessions

I N   S E N A T E

(PREFILED)

January 7, 2015

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Introduced by Sen. DIAZ -- 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 policies excluding certain  
non-recurring items from income for purposes of the program for elder-  
ly pharmaceutical insurance coverage

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, 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)] (C) of paragraph one of subsection (e) of section six hundred six  
6     of the tax law, but only shall include the income of program applicants  
7     and spouses and shall exclude the income of other members of the house-  
8     hold; PROVIDED, HOWEVER, THAT THE COMMISSIONER OF HEALTH MAY ADOPT POLI-  
9     CIES TO EXCLUDE FROM INCOME CERTAIN NON-RECURRING ITEMS THAT WOULD ACT  
10    TO ARTIFICIALLY INFLATE THE AVAILABILITY OF FUNDS TO MEET CURRENT NEEDS  
11    INCLUDING, BUT NOT LIMITED TO, A RETIREE'S PREVIOUS YEAR'S WAGES, AND  
12    NON-RECURRING DISTRIBUTIONS FROM AN INDIVIDUAL RETIREMENT ACCOUNT.  
13    S 2. This act shall take effect immediately.

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

LBD00586-01-5