STATE OF NEW YORK

11239

IN ASSEMBLY

June 15, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Lupardo) -- read once and referred to the Committee on Aging

AN ACT to amend the elder law, in relation to authorizing private pay protocols for programs administered by the office for the aging

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 203 of the elder law is amended by adding a new subdivision 12 to read as follows:

12. The director is hereby authorized to implement private pay protocols for all programs administered by the office. Such protocols may be implemented by area agencies on aging at such agencies' option and such protocols may not be applied to clients whose services are paid for with federal funds or funds designated as federal match. All private payments received directly by an area agency on aging, or indirectly by one of its contractors shall be used to supplement, not supplant, funds by state, federal, or county appropriations. Private pay payments received under this subdivision shall be used by the area agency on aging to support and/or enhance services and/or programs provided by the area agency on aging. Participant payments under this subdivision shall not be required of individuals with incomes below four hundred percent of the federal poverty level. No participant, regardless of income, shall be required to pay for any service that they are receiving at the time these protocols are implemented by the area agency on aging. This subdivision shall not prevent cost sharing for the programs established pursuant to section two hundred fourteen of this title for individuals below four hundred percent of the federal poverty level.

§ 2. This act shall take effect immediately.

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

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