

STATE OF NEW YORK

7328

IN SENATE

January 5, 2018

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the social services law, in relation to notice of determination of eligibility for medical assistance; and to repeal section 1 of a chapter of the laws of 2017, amending the social services law relating to notice of determination of eligibility for medical assistance, as proposed in legislative bills numbers S. 1241-A and A. 5175-A, relating thereto

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

1 Section 1. Section 1 of a chapter of the laws of 2017, amending the
2 social services law relating to notice of determination of eligibility
3 for medical assistance, as proposed in legislative bills numbers S.
4 1241-A and A. 5175-A is REPEALED.

5 § 2. Subparagraph 2 of paragraph (b) of subdivision 2 of section 366
6 of the social services law, as added by chapter 170 of the laws of 1994,
7 is amended by adding a new clause (vi) to read as follows:

8 (vi) The department shall provide written notice to an applicant for
9 or recipient of medical assistance who is or reasonably appears to be
10 eligible for medical assistance except for having income exceeding
11 applicable income levels. The notice shall inform the applicant or
12 recipient, in plain language, that in certain circumstances the medical
13 assistance program does not count the income of disabled applicants and
14 recipients if it is placed in a trust described in clause (iii) of this
15 subparagraph. The notice shall be included with the eligibility notice
16 provided to such applicants and recipients and shall reference where
17 additional information may be found on the department's website. This
18 clause shall not be construed to change any criterion for eligibility
19 for medical assistance.

20 § 3. This act shall take effect on the same date and in the same
21 manner as a chapter of the laws of 2017, amending the social services
22 law relating to notice of determination of eligibility for medical
23 assistance, as proposed in legislative bills numbers S. 1241-A and A.
24 5175-A, takes effect.

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

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