STATE OF NEW YORK

5175--A

2017-2018 Regular Sessions

IN ASSEMBLY

February 6, 2017

Introduced by M. of A. GOTTFRIED, GUNTHER, MORELLE, BRONSON, SCHIMMINGER -- Multi-Sponsored by -- M. of A. HEVESI -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to notice of determination of eligibility for medical assistance

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

Section 1. Paragraph (f) of subdivision 5 of section 366 of the social services law, as relettered by section 26-a of part C of chapter 109 of the laws of 2006, is relettered paragraph (g) and a new paragraph (f) is added to read as follows:

(f) The department shall provide written notice under this paragraph to an applicant for or recipient of medical assistance who is or reasonably appears to be eligible for medical assistance under subparagraph two of paragraph (c) of subdivision one of this section, except for having income exceeding applicable income levels. The notice shall explain, in plain language, the rules for depositing income in a trust that may enable an applicant or recipient who is disabled to become eligible for medical assistance under clause (iii) of subparagraph two of paragraph (b) of subdivision two of this section. The notice shall be included with the eligibility notice provided to such applicants and recipients. The notice shall include information on how to enroll in such a trust and how to request that the local social services district rebudget medical assistance based on participation in such a trust. This paragraph shall not be construed to change any criterion for eligibility for medical assistance.

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

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

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