STATE OF NEW YORK

8240

IN SENATE

April 20, 2018

Introduced by Sen. TEDISCO -- (at request of the Medicaid Inspector General) -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services

AN ACT to amend the social services law, in relation to appeals and fair hearings

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

Section 1. Paragraph (b) of subdivision 9 of section 22 of the social services law, as added by chapter 473 of the laws of 1978, is amended to read as follows:

(b) Any aggrieved party to an appeal, including a social services official provided an application by any such social services official has not been determined by any federal agency to be in violation of federal law, may **either: (i) apply to the department's supervising administrative law judge, or such other individual as the commissioner may designate, for review as provided in department regulations; or (ii)** apply for review as provided in article seventy-eight of the civil practice law and rules.

§ 2. This act shall take effect on the ninetieth 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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