

STATE OF NEW YORK

9055

IN SENATE

June 15, 2018

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

AN ACT to amend the elder law, in relation to authorizing private pay protocols

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

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

3 12. The director is hereby authorized to implement private pay proto-
4 cols for all programs administered by the office. These protocols may be
5 implemented by area agencies on aging at their option and such protocols
6 may not be applied to clients whose services are paid for with federal
7 funds or funds designated as federal match. All private payments
8 received directly by an area agency on aging, or indirectly by one of
9 its contractors shall be used to supplement, not supplant, funds by
10 state, federal, or county appropriations. Private pay payments received
11 under this subdivision shall be used by the area agency on aging to
12 support and/or enhance services and/or programs provided by the area
13 agency on aging. Participant payments under this subdivision shall not
14 be required of individuals with incomes below four hundred percent of
15 the federal poverty level. No participant, regardless of income, shall
16 be required to pay for any service that they are receiving at the time
17 these protocols are implemented by the area agency on aging. This subdi-
18 vision shall not prevent cost sharing for the programs established
19 pursuant to section two hundred fourteen of this title for individuals
20 below four hundred percent of the federal poverty level.

21 § 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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