

STATE OF NEW YORK

6446

2019-2020 Regular Sessions

IN ASSEMBLY

March 7, 2019

Introduced by M. of A. CRESPO -- read once and referred to the Committee on Aging

AN ACT to amend the elder law, in relation to making certain persons who are eligible for or receiving social security disability insurance benefits eligible for elderly pharmaceutical insurance coverage

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

1 Section 1. Subdivisions 1 and 2 of section 242 of the elder law,
2 subdivision 1 as amended by section 4 of part T of chapter 56 of the
3 laws of 2012 and subdivision 2 as amended by section 12 of part A of
4 chapter 60 of the laws of 2014, are amended to read as follows:

5 1. Persons eligible for comprehensive coverage under section two
6 hundred forty-seven of this title shall include:

7 (a) any unmarried resident who is at least sixty-five years of age, or
8 eligible for or receiving social security disability insurance (SSDI)
9 benefits, and whose income for the calendar year immediately preceding
10 the effective date of the annual coverage period beginning on or after
11 January first, two thousand five, is less than or equal to twenty thou-
12 sand dollars. After the initial determination of eligibility, each
13 eligible individual must be redetermined eligible at least every twen-
14 ty-four months; and

15 (b) any married resident who is at least sixty-five years of age, or
16 eligible for or receiving social security disability insurance (SSDI)
17 benefits, and whose income for the calendar year immediately preceding
18 the effective date of the annual coverage period when combined with the
19 income in the same calendar year of such married person's spouse begin-
20 ning on or after January first, two thousand one, is less than or equal
21 to twenty-six thousand dollars. After the initial determination of
22 eligibility, each eligible individual must be redetermined eligible at
23 least every twenty-four months.

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

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1 2. Persons eligible for catastrophic coverage under section two
2 hundred forty-eight of this title shall include:

3 (a) any unmarried resident who is at least sixty-five years of age, or
4 eligible for or receiving social security disability insurance (SSDI)
5 benefits, and whose income for the calendar year immediately preceding
6 the effective date of the annual coverage period beginning on or after
7 January first, two thousand one, is more than twenty thousand and less
8 than or equal to seventy-five thousand dollars. After the initial deter-
9 mination of eligibility, each eligible individual must be redetermined
10 eligible at least every twenty-four months; and

11 (b) any married resident who is at least sixty-five years of age, or
12 eligible for or receiving social security disability insurance (SSDI)
13 benefits, and whose income for the calendar year immediately preceding
14 the effective date of the annual coverage period when combined with the
15 income in the same calendar year of such married person's spouse begin-
16 ning on or after January first, two thousand one, is more than twenty-
17 six thousand dollars and less than or equal to one hundred thousand
18 dollars. After the initial determination of eligibility, each eligible
19 individual must be redetermined eligible at least every twenty-four
20 months.

21 § 2. This act shall take effect on the one hundred eightieth day after
22 it shall have become a law and shall apply to benefits paid on or after
23 such effective date. Effective immediately the executive director of the
24 elderly pharmaceutical insurance coverage panel may promulgate any rules
25 and regulations necessary for the implementation of this act.