

# STATE OF NEW YORK

7147

## IN SENATE

January 8, 2020

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

AN ACT to amend the social services law, in relation to extending the coverage period to a period of one year beginning on the last day of pregnancy; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Subparagraph 3 of paragraph (d) of subdivision 1 and  
2 subparagraph 1 of paragraph (b) of subdivision 4 of section 366 of the  
3 social services law, subparagraph 3 of paragraph (d) of subdivision 1 as  
4 added by section 1 and subparagraph 1 of paragraph (b) of subdivision 4  
5 as added by section 2 of part D of chapter 56 of the laws of 2013, are  
6 amended to read as follows:

7 (3) cooperates with the appropriate social services official or the  
8 department in establishing paternity or in establishing, modifying, or  
9 enforcing a support order with respect to his or her child; provided,  
10 however, that nothing herein contained shall be construed to require a  
11 payment under this title for care or services, the cost of which may be  
12 met in whole or in part by a third party; notwithstanding the foregoing,  
13 a social services official shall not require such cooperation if the  
14 social services official or the department determines that such actions  
15 would be detrimental to the best interest of the child, applicant, or  
16 recipient, or with respect to pregnant women during pregnancy and during  
17 the [~~sixty-day~~] one-year period beginning on the last day of pregnancy,  
18 in accordance with procedures and criteria established by regulations of  
19 the department consistent with federal law; and

20 (1) A pregnant woman eligible for medical assistance under subpara-  
21 graph two or four of paragraph (b) of subdivision one of this section on  
22 any day of her pregnancy will continue to be eligible for such care and  
23 services [~~through the end of the month in which the sixtieth day~~] for a  
24 period of one year following the end of the pregnancy [~~occurs~~], without  
25 regard to any change in the income of the family that includes the preg-

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

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1   nant woman, even if such change otherwise would have rendered her ineli-  
2   gible for medical assistance.

3   § 2. This act shall take effect immediately; provided, however the  
4   commissioner of health shall immediately take all steps necessary and  
5   shall use best efforts to secure federal financial participation under  
6   title XIX of the social security act, for the purposes of this section,  
7   including the prompt submission of appropriate amendments to the title  
8   XIX state plan, and notwithstanding any provision of law to the contra-  
9   ry, the provisions of this act shall be effective only if and for so  
10   long as federal financial participation is available in the costs of  
11   medical assistance furnished under this act; provided, further, that the  
12   commissioner of health shall notify the legislative bill drafting  
13   commission upon the occurrence of the enactment of and, if applicable,  
14   the expiration of the legislation provided for in section one of this  
15   act in order that the commission may maintain an accurate and timely  
16   effective data base of the official text of the laws of the state of New  
17   York in furtherance of effectuating the provisions of section 44 of the  
18   legislative law and section 70-b of the public officers law.