

# STATE OF NEW YORK

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307--B

2021-2022 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 6, 2021

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Introduced by M. of A. GOTTFRIED, THIELE, ABINANTI, EPSTEIN, SEAWRIGHT, DINOWITZ, BARRETT, GLICK, GRIFFIN, MAGNARELLI, SIMON, TAYLOR, BICHOTTE HERMELYN, SMITH, BRONSON, JACKSON, McDONALD, FAHY, OTIS, JEAN-PIERRE, AUBRY, GONZALEZ-ROJAS, COLTON, STECK, SOLAGES, FORREST -- Multi-Sponsored by -- M. of A. ENGLEBRIGHT, GALEF -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Ways and Means -- recommitted to the Committee on Ways and Means in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to extending the Medicaid coverage period for pregnancy

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 of section  
2 366 of the social services law, as added by section 1 of part D of chap-  
3 ter 56 of the laws of 2013, is amended to read as follows:  
4 (3) cooperates with the appropriate social services official or the  
5 department in establishing paternity or in establishing, modifying, or  
6 enforcing a support order with respect to his or her child; provided,  
7 however, that nothing herein contained shall be construed to require a  
8 payment under this title for care or services, the cost of which may be  
9 met in whole or in part by a third party; notwithstanding the foregoing,  
10 a social services official shall not require such cooperation if the  
11 social services official or the department determines that such actions  
12 would be detrimental to the best interest of the child, applicant, or  
13 recipient, or with respect to pregnant women during pregnancy and during  
14 the [~~sixty-day~~ one year] period beginning on the last day of pregnancy,

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

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1 in accordance with procedures and criteria established by regulations of  
2 the department consistent with federal law; and

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

6 (1) A pregnant woman eligible for medical assistance under subpara-  
7 graph two or four of paragraph (b) of subdivision one of this section on  
8 any day of her pregnancy will continue to be eligible for such care and  
9 services [~~through the end of the month in which the sixtieth day follow-~~  
10 ~~ing the end of the pregnancy occurs~~] for a period of one year following  
11 the end of the pregnancy, without regard to any change in the income of  
12 the family that includes the pregnant woman, even if such change other-  
13 wise would have rendered her ineligible for medical assistance.

14 § 3. This act shall take effect on the one hundred eightieth day after  
15 it shall have become a law. Effectively immediately, the commissioner of  
16 health shall make regulations and take actions reasonably necessary to  
17 implement this act on that date, including taking all steps necessary  
18 and using best efforts to secure federal financial participation for  
19 eligible beneficiaries under title XIX of the social security act, for  
20 the purposes of this act, including the prompt submission of appropriate  
21 amendments to the medical assistance state plan.