STATE OF NEW YORK

8500

2021-2022 Regular Sessions

IN ASSEMBLY

November 19, 2021

Introduced by M. of A. BURKE -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to Medicaid eligibility for striking workers

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

Section 1. Subdivision 4 of section 366 of the social services law is amended by adding a new paragraph (f) to read as follows:

(f) Employees on strike.

(1) Notwithstanding any other provision of law to the contrary, persons who are not eligible for medical assistance coverage during an employment strike or other industrial controversy pursuant to title seven of article eighteen of the labor law are eligible for medical assistance coverage during such employment strike or other industrial controversy, subject to the provisions of this paragraph.

(2) Medical assistance provided to a person under this paragraph shall be limited to the period in which such person requires coverage during an employment strike or industrial controversy.

(3) (i) The commissioner of health shall promulgate such regulations as may be necessary to carry out the provisions of this paragraph. Such regulations shall include, but not be limited to: eligibility requirements; a description of the medical services which are covered; and a process for providing presumptive eligibility when a qualified entity, as defined by the commissioner, determines on the basis of preliminary information that a person meets the requirements for eligibility under this paragraph.

(ii) For purposes of determining eligibility for medical assistance under this paragraph, resources available to such individual shall not be considered nor required to be applied toward the payment or partial payment of the cost of medical care, services and supplies available under this paragraph.

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

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(iii) An individual shall be eligible for presumptive eligibility for medical assistance under this paragraph in accordance with subdivision five of section three hundred sixty-four-i of this title.

§ 2. This act shall take effect immediately.