

# STATE OF NEW YORK

1411--A

2021-2022 Regular Sessions

## IN SENATE

January 12, 2021

Introduced by Sens. RIVERA, BENJAMIN, BIAGGI, BRESLIN, BROUK, COMRIE, GAUGHRAN, HOYLMAN, JACKSON, KENNEDY, MAY, MYRIE, PARKER, RAMOS, SALAZAR, SERRANO, SKOUFIS, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- reported favorably from said committee and committed to the Committee on Finance -- 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,  
15 in accordance with procedures and criteria established by regulations of  
16 the department consistent with federal law; and

17 § 2. Subparagraph 1 of paragraph (b) of subdivision 4 of section 366  
18 of the social services law, as added by section 2 of part D of chapter  
19 56 of the laws of 2013, is amended to read as follows:

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

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

9 § 3. This act shall take effect on the one hundred eightieth day after  
10 it shall have become a law. The commissioner of health shall immediately  
11 take all steps necessary and shall use best efforts to secure federal  
12 financial participation for eligible beneficiaries under title XIX of  
13 the social security act, for the purposes of this act, including the  
14 prompt submission of appropriate amendments to the title XIX state plan.