

# STATE OF NEW YORK

6342

2021-2022 Regular Sessions

## IN SENATE

April 22, 2021

Introduced by Sen. PERSAUD -- 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 establishing the incontinence supplies insurance program for Medicaid beneficiaries

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

1 Section 1. The social services law is amended by adding a new section  
2 363-f to read as follows:

3 § 363-f. Incontinence supplies insurance program. 1. Establishment.  
4 The commissioner shall establish an incontinence supplies insurance  
5 program. Such program shall provide incontinence supplies to persons  
6 that meet the program eligibility requirements established in subdivi-  
7 sion two of this section. For purposes of this section, "incontinence  
8 supplies" shall mean products designed to help manage urinary or bowel  
9 output. Such products shall be intended to protect clothing, bedding,  
10 and furniture and shall consist of items including, but not limited to,  
11 protective underwear, cloths, wipes, bedding protection, cleaners,  
12 creams, lotions, bedpans, and urinals.

13 2. Eligibility. To qualify for coverage under this section, a person  
14 shall:

15 (a) be a Medicaid beneficiary;

16 (b) be a resident of the state of New York; and

17 (c) obtain a note from a physician indicating a need for an item in  
18 accordance with subdivision one of this section.

19 3. Regulations. The commissioner is authorized and directed to promul-  
20 gate such regulations as he or she may deem necessary or appropriate to  
21 effectuate the purposes of this section. However, such regulations shall  
22 include:

23 (a) A cap on allowance granted under this section of eighty dollars,  
24 every three months, per eligible person; and

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

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1 (b) Procedures for the state to recover the value of benefits or  
2 payments made under this section, if any, that were based on applica-  
3 tions or claims submitted in violation of any provision of this section.

4 § 2. This act shall take effect on the sixtieth day after it shall  
5 have become a law. Effective immediately, the addition, amendment  
6 and/or repeal of any rule or regulation necessary for the implementation  
7 of this act on its effective date are authorized to be made and  
8 completed on or before such effective date.