

STATE OF NEW YORK

3702

2021-2022 Regular Sessions

IN ASSEMBLY

January 28, 2021

Introduced by M. of A. L. ROSENTHAL, WEPRIN -- Multi-Sponsored by -- M. of A. PERRY -- read once and referred to the Committee on Health

AN ACT to amend the social services law, in relation to authorizing Medicaid coverage to disabled persons attending an out-of-state college or university who are in need of continuous medical care

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

1 Section 1. Section 366 of the social services law is amended by
2 adding a new subdivision 16 to read as follows:

3 16. (a) Notwithstanding any inconsistent provisions of this chapter or
4 any other provision of law to the contrary, a disabled person shall be
5 eligible for medical assistance where he or she is attending a college
6 or university outside of the state and such person requires continuous
7 medical care and is a domiciliary of the state of New York.

8 (b) Disabled persons shall continue to receive medical assistance for
9 services and care they received while in the state if such services and
10 care are needed while attending an out-of-state college or university.

11 (c) Persons eligible for the provisions of this subdivision shall
12 provide to their local department of social services, proof of enroll-
13 ment every semester in the out-of-state college or university.

14 (d) For purposes of this subdivision:

15 (1) "Domiciliary" shall mean a person whose domicile is within the
16 state of New York.

17 (2) "Domicile" shall mean a fixed, permanent and principal home to
18 which a person wherever temporarily located always intends to return.

19 § 2. This act shall take effect on the ninetieth day after it shall
20 have become a law.

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

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