

# STATE OF NEW YORK

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6224

2021-2022 Regular Sessions

## IN ASSEMBLY

March 10, 2021

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

AN ACT to amend the social services law, in relation to authorizing medicaid coverage for a nebulizer

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

1 Section 1. Section 365-a of the social services law is amended by  
2 adding a new subdivision 11 to read as follows:

3 11. Notwithstanding any inconsistent provision of law to the contrary,  
4 medical assistance shall include coverage for a nebulizer if prescribed  
5 by a licensed physician for a medical condition, including, but not  
6 limited to asthma or allergies. The type and brand of such nebulizer  
7 shall be approved by the department of health. Such medical assistance  
8 shall be provided for eighty percent of the cost of such nebulizer.

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

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

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