

STATE OF NEW YORK

1411

2021-2022 Regular Sessions

IN SENATE

January 12, 2021

Introduced by Sen. RIVERA -- 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 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 period, or one year period if there is federal financial
15 participation, beginning on the last day of pregnancy, in accordance
16 with procedures and criteria established by regulations of the depart-
17 ment consistent with federal law; and

18 § 2. Subparagraph 1 of paragraph (b) of subdivision 4 of section 366
19 of the social services law, as added by section 2 of part D of chapter
20 56 of the laws of 2013, is amended to read as follows:

21 (1) A pregnant woman eligible for medical assistance under subpara-
22 graph two or four of paragraph (b) of subdivision one of this section on
23 any day of her pregnancy will continue to be eligible for such care and
24 services through the end of the month in which the sixtieth day follow-
25 ing the end of the pregnancy occurs, or for a period of one year follow-

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

LBD04050-01-1

1 ing the end of the pregnancy if there is federal financial
2 participation, without regard to any change in the income of the family
3 that includes the pregnant woman, even if such change otherwise would
4 have rendered her ineligible for medical assistance.

5 § 3. This act shall take effect immediately. The commissioner of
6 health shall immediately take all steps necessary and shall use best
7 efforts to secure federal financial participation under title XIX of the
8 social security act, for the purposes of this act, including the prompt
9 submission of appropriate amendments to the title XIX state plan.