STATE OF NEW YORK

4228

2023-2024 Regular Sessions

IN ASSEMBLY

February 13, 2023

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

AN ACT to amend the social services law, in relation to determining the "look back" period for medical assistance eligibility

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

Section 1. Paragraph (a) of subdivision 5 of section 366 of the social services law, as amended by section 25 of part C of chapter 109 of the laws of 2006, is amended to read as follows:

(a) In determining the initial or continuing eligibility of any person for assistance under this title, there shall be included in the amount of resources considered available to such person the uncompensated value of any resource transferred prior to the date of application for medical assistance as specified in paragraphs (b), (c), (d) and (e) of this subdivision, and such person shall be ineligible for such assistance for such period or periods as specified in this subdivision. **For the purposes of determining medical assistance eligibility, the date of transfer, shall be deemed as the date in which the certificate of real property transfer is filed with the clerk in the county where such transaction has occurred.**

§ 2. This act shall take effect immediately.

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

LBD01337-01-3