

STATE OF NEW YORK

5515

2023-2024 Regular Sessions

IN ASSEMBLY

March 15, 2023

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Social Services

AN ACT to amend the social services law, in relation to defining "closed period of eligibility" for purposes of certain supplemental security income and including such time period in the eligibility requirements of such supplemental security income

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

1 Section 1. Subdivisions 1, 3, and 10 of section 208 of the social
2 services law, as added by chapter 1080 of the laws of 1974, are amended
3 and a new subdivision 13 is added to read as follows:

4 1. "Supplemental security income benefits" shall mean payments made by
5 the [~~secretary of the federal department of health, education and~~
6 ~~welfare~~] federal commissioner of social security to aged, blind and
7 disabled persons pursuant to title sixteen of the federal social securi-
8 ty act.

9 3. The "[~~secretary~~] commissioner" shall mean the [~~secretary of the~~
10 ~~federal department of health, education and welfare~~] federal commission-
11 er of social security.

12 10. An "eligible individual" shall mean a person who is or was eligi-
13 ble to receive additional state payments pursuant to section two hundred
14 nine of this title.

15 13. A "closed period of eligibility" shall refer to a determination of
16 the social security administration that a person was previously eligible
17 for supplemental security income benefits for a period of time in the
18 past, but is no longer eligible at the time such determination is made
19 or at the time the social security administration communicates eligibil-
20 ity to the office of temporary and disability assistance.

21 § 2. Paragraph (b) of subdivision 1 of section 209 of the social
22 services law, as added by chapter 1080 of the laws of 1974, is amended
23 to read as follows:

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

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1 (b) A person who is properly receiving supplemental security income
2 benefits, or who has been awarded benefits for a closed period of eligi-
3 bility, shall be deemed to have met the eligibility criteria contained
4 in subparagraphs (i), (ii) and (iii) of paragraph (a) of this subdivi-
5 sion.

6 § 3. This act shall take effect immediately.