STATE OF NEW YORK

4885

2023-2024 Regular Sessions

IN SENATE

February 16, 2023

Introduced by Sen. BROUK -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to retroactive enrollment in the Child Health Insurance Plan

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

Section 1. Paragraph (i) of subdivision 2 of section 2511 of the public health law is amended by adding two new subparagraphs (iii) and (iv) to read as follows:

(iii) A child who meets the eligibility criteria set forth in this subdivision or subdivision five of this section, as determined by an approved organization or the health insurance exchange marketplace, whichever is applicable, shall be enrolled retroactively to the first day of the month in which the application was submitted, provided that the applicant for insurance submits a completed and signed application and required information and documentation within sixty days of the original application submission.

(iv) A child shall be presumed eligible for subsidy payments under this subdivision or eligible for coverage under subdivision five of this section, provided that the applicant for insurance submits a completed and signed application within sixty days of the application submission. Once eligibility is determined by the approved organization or the health insurance exchange marketplace, whichever is applicable, on the basis of preliminary information, the child shall be enrolled retroactively to the first day of the month in which the application was submitted. All other procedures and standards regarding presumptive enrollment applicable to eligible children enrolled under this title and specified in state contracts with approved organizations or implemented by the health insurance exchange marketplace, whichever is applicable, shall apply to presumptive enrollment of children.

§ 2. This act shall take effect immediately.

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

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