STATE OF NEW YORK

5748

2023-2024 Regular Sessions

IN SENATE

March 15, 2023

Introduced by Sens. PARKER, JACKSON -- 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 medicaid eligibility for youth leaving court ordered placement

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

Section 1. Section 364-i of the social services law is amended by adding a new subdivision 9 to read as follows:

9. Youth leaving court ordered placement; presumptive eligibility. (a) Notwithstanding any other provision of law to the contrary, youth who have been placed pursuant to subdivision two, two-a, three or four of section 353.3 or section 353.5 of the family court act, shall be presumed eligible for medical assistance under this title beginning on the date of their release from such placement.

(b) Such presumptive eligibility shall continue through the earlier of the day on which a determination is made with respect to the eligibility of the youth for assistance pursuant to this title, or in the case of a youth for whom an application for assistance pursuant to this title is not filed on his or her behalf or who does not file an application for such assistance, sixty days from the release of such youth from placement ordered pursuant to subdivision two, two-a, three or four of section 353.3 or section 353.5 of the family court act.

(c) Care, services and supplies, as set forth in section three hundred sixty-five-a of this title, that are furnished to a youth during a presumptive eligibility period under this subdivision by an entity that is eligible for payments under this title shall be deemed to be medical assistance for purposes of payment and state reimbursement.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such date.

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

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