STATE OF NEW YORK

3089

2023-2024 Regular Sessions

IN ASSEMBLY

February 2, 2023

Introduced by M. of A. PHEFFER AMATO, WOERNER, D. ROSENTHAL, THIELE, FAHY -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to the adult cystic fibrosis assistance program

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

Section 1. The public health law is amended by adding a new article 27-g to read as follows:

ARTICLE 27-G

ADULT CYSTIC FIBROSIS ASSISTANCE PROGRAM

Section 2795. Adult cystic fibrosis assistance program.

§ 2795. Adult cystic fibrosis assistance program. 1. The commissioner shall establish a program to reimburse the cost of providing health care or health insurance to eligible individuals who have cystic fibrosis.

2. To be a fully eligible individual for whom health care will be provided under this section, such individual:

(a) shall be at least twenty-one years old;

(b) shall have been diagnosed as having cystic fibrosis;

(c) shall have resided in the state for a minimum of twelve continuous months immediately prior to application for services under this section;

(d) shall not be eligible for medical benefits under any group or individual health insurance policy; and

(e) shall not be eligible for medical assistance pursuant to title eleven of article five of the social services law solely due to earned income.

3. To be a partially eligible individual for whom health care will be provided under this section, such individual shall meet all the criteria of a fully eligible individual except that a partially eligible individual shall be an individual who is eligible for medical benefits under any group or individual health insurance policy but which does not cover all services necessary for the care and treatment of cystic fibrosis.

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

LBD06424-01-3

4. The commissioner shall require each fully eligible individual, upon determination of eligibility, to make application to a private health insurance provider as prescribed by the commissioner for an individual health insurance policy. If and when such policy is granted, the commissioner shall approve payment for the associated premium.

5. The commissioner shall authorize payment for services related to the care and treatment of cystic fibrosis not otherwise covered by a health insurance policy. Providers of such services shall be reimbursed at the same rate and claims for payment shall be made as if such individual was eligible for benefits pursuant to title eleven of article five of the social services law.

6. All eligible individuals shall be required to contribute seven percent of their net annual income toward the cost of care and/or the cost of the annual health insurance premium.

7. The commissioner shall, in consultation with the commissioner of social services, promulgate rules and regulations necessary to implement the provisions of this article.

§ 2. This act shall take effect immediately.